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G. P. PUTNAM'S SONS, NEW YORK.

SOCIOLOGY

BY

JOHN BASCOM

AUTHOR OF "POLITICAL ECONOMY," "ETHICS," ETC.

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THIS VOLUME, GLEANED AMID THE LENGTHENING SHADOWS OF LIFE, IS AFFECTIONATELY INSCRIBED TO

ARTHUR LATHAM PERRY,

WITH WHOM, IN THE FIRST ENTHUSIASM OF EFFORT, I OPENED MY INQUIRIES INTO THIS CLASS OF SUBJECTS.

PREFACE.

THOUGH the work here offered the public is termed Sociology, it does not promise a full and systematic discussion of the subject. Its aim is more simple and narrow. It passes familiar principles, and principles to which the author can make no important additions, and concentrates attention on points at which he is best able to reward it; and this with only secondary reference to general symmetry. There is in the book a constant unwillingness to accumulate material of no new value.

The work is, however, a sociology in the fact that all its discussions tend to outline the entire field, and to give, in their relation to each other, the distinct departments which it embraces. While theoretical completeness is by no means a matter of indifference in this treatise, there is a predominant interest in questions of immediate moment to society. Not much is attempted by way of formal inductive proof. The mind is easily misled by the appearance of this proof, when it is really wanting. The facts of society cover so large a field, and are so flexible in interpretation, that it is not difficult to marshal them in considerable numbers in behalf of any fairly rational statement. Falstaff's ragged regiment can be picked up by the roadside. These promiscuous facts have more effect on the mind than properly belongs to them.

No proof can rest ultimately on simple facts as facts. It must lie in their interpretation, their rational rendering. That view which broadly covers human experience, and

gives to it the light of fitting ideas, is thereby proved. It, and it only, addresses itself to rational insight and satisfies it. A good deal, therefore, which to the empirical mind may seem to be proof is not proof, and much that seems to it simple assertion carries with it the most complete authority. What we have to say will occasionally come under this condemnation of lacking proof, simply because the proof we rely on is the coherent connection of ideas, and the suitableness of these ideas to the facts which they cover. This suitableness will not show itself as a contact established here and there with human experience, but as a broad conformity to it over wide surfaces. Whether the idea offered gives light, each man must decide for himself; and if it gives light it will not be necessary often to say: Behold, this and this are now visible.

Our facts will be chiefly used as illustrations, making the idea more plain. The proof must stand forth in its own light, and in the reflected light of the manifold things illuminated by it. While we believe most devoutly in an empirical method as bringing to speculation its only safe lines of thought, and its only sufficient corrections within those lines, we must still think that the mind is satisfied only with its own fruits; that the ultimate is made ultimate by the mind itself, is the simple assurance of intellectual vision. Light so opens the world that we have only occasion to see by means of it; and if we see, we shall ask no farther proof of the light which makes the revelation.

In this work I have again done what I have already been criticised for doing: I have covered a large field suggestively, rather than a narrow field exhaustively. Something is due to one's habit of mind in choice of method. I think also that this method is often to be

deliberately preferred in practical value, though it may involve a loss in personal estimation.

There is much in this volume that can readily be misunderstood, and which will naturally meet with warm dissent. It is the more desirable, therefore, that no part of this criticism should miss its mark unnecessarily. I therefore here draw attention to the fact, as also in the body of the work, that the word morality is used in a much wider sense than that in which it is frequently employed, and that many obvious difficulties will disappear if this is borne in mind.

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SOCIOLOGY.

INTRODUCTION.

§ 1. THE facts of sociology are the most interesting and the most complicated anywhere offered to our attention. They are the most interesting, as they pertain to the highest development of the highest life. They are the most complicated, as gathering up and combining all other lines of action, and as in many ways indirectly affected by them. Physical facts, in their full variety, furnish the foundation of social phenomena, and their constantly changeable and controlling conditions. Natural objects, taken singly in their properties, as iron, or brought together under laws in great aggregates, as in the qualities of a soil or the character of a climate, intimately concern men and society. Science, in all its lessons, is addressed to the human mind, and gives the materials, methods and incentives to labor. And yet, when we have comparatively fixed antecedents of rational life, the life itself is not so conditioned to them as either to be a product of them, or bound by them in directions of use. The uses to which they may be put are very various, and run through a wide range of service, less worthy or more worthy according to the intention which calls it out. The house is for the occupant, and yet may be occupied in very different ways.

The nature of man, the factors which he himself

brings to the factors about him, are to be searched into with even more diligence than we direct to the external world. Thus philosophy, a comprehensive knowledge of man, adds itself in sociology to science, and the two concur in giving the primitive elements of that variable, fluctuating compound, human society, ever moving under its own laws of growth and decay to or from some higher end.

Sociology is a discussion of the conditions and laws of combination and growth in society. Change here is either progress or retrogression, and so is a phase either of growth or of decay. While we do well to be ambitious to know all that we can know, it is foolish to insist—and insistence leads to ignorance—on making our knowledge in any department more complete than it can from the nature of the case be made. We may not set up physical laws as the only type of law, then assume the existence of laws among these complicated phenomena, and regard all discussion which fails to reach them unsatisfactory. If the motion of three or more bodies in mutual interaction soon becomes too complex for our exposition, well may these ultimate movements of the physical and spiritual world, as combined in society, evade any sufficient and exhaustive formula. It is the mistake of ignorance to urge too exact a result. The difficulty lies not simply in the complexity of the facts, insuperable as this alone would be, but also in the presence of higher, freer spiritual laws, themselves less explicit, and less explicitly applicable, than physical laws. We define knowledge too closely under the conceptions of science, and that, too, science at work on its simplest problems. To know is to know things as they are, and if they are too complex for complete expression, or too personal to be rendered under physical terms, knowledge

is to know them in this way. Knowledge does not owe its value to its being science, but science owes its value to its being knowledge. Knowledge is the generic idea under which science is a species. We shall strive to discuss things as they are, without making them one jot less complex or free than they are. Sociology, above all forms of inquiry, must be approached with an open mind, undisturbed by new and distracting elements.

§ 2. We may speak either of social science, or of social sciences. The latter form is preferable for several reasons. The phases of action embodied in society are so distinct—as, for example, those of Political Economy and of Ethics—as to admit of separate, profitable discussion. Indeed, not till we have considered these separately are we ready for their combination in human intercourse. Each one of these fields admits of distinct principles narrowly applied, and has closer terms of union than the entire field.

Moreover, each department of sociology—as Political Economy—allows separation and aggregation into a proximate science by confining attention to its own incentives, and by excluding for the moment those considerations which modify their force in society. Herein is a social anatomy by which one system is separated from conjoined systems and its own relations pointed out, while we wait later to see how its action is affected by interlaced systems. We may thus know much more of one form of social phenomena than of other associated forms, and much more than we know in sociology.

Indeed, this disposition to divide the facts of society, and so to secure the conditions for those absolute statements in which we so much delight as the completion of knowledge, has been often carried quite too far in the several departments of sociology. As, however, the

scientific method finds more ready entrance by this analysis, and as the analysis prepares us for a more instructive synthesis, it is well to speak of the social sciences, and to direct attention first to these better known specific terms, hoping later to make the broader survey of society as a whole.

It is even yet early to speak of sociology. But little progress has been made in the combination of social, civil, economic, religious and ethical terms of growth, into a sociology that shall enable us to understand the orbit of society, and to define, in reference to both the past and the future, the position actually occupied by us in it. We must win very distinct and complete terms of knowledge in each department of social science before we can combine them into anything like satisfactory statements. Synthetically, we are still occupied with loose discussions concerning special phases of social phenomena, instead of formulating results into full and final expression.

It may well be doubted whether, considering the present tendency and acquired force of words, the results of social inquiry are not better expressed as social philosophy than as social science. Exact measurement and singleness of statement are to such a degree waived when we deal with society as a living product, that we more fully recognize our precise footing when we regard sociology more as a philosophy of the facts than as a science of them. Spiritual, personal elements so predominate in society, especially in its advanced stages, as to transfer its laws, aims and achievements more and more to the spiritual world, where they are understood by reasons and expounded by affections, rather than traced to causes and unravelled into forces. Society, the seat of the affections as well as of the appetites, of spiritual

inspirations as well as of worldly-wise desires, must always receive much of its light from the spiritual world above and beyond it. We have in its comprehension, partial as that comprehension may be, that synthesis of the elements of knowledge and sensibility in the soul which we term wisdom rather than knowledge, sympathetic insight rather than exhaustive enumeration, philosophy rather than science.

In our slight discussion of sociology we shall speak cursorily, and under the narrow ends that we propose, first, of the distinct departments which constitute it, then of the interaction of these departments, and later of the light thus brought to urgent social questions, and to the lines of growth which lie before us.

CHAPTER I.

CUSTOM.

§ 1. INDIRECTLY sociology involves every force that touches human life, and so may be said to spread out into all knowledge. It ought, however, directly to include only those departments of action whose immediate and primary office it is to organize society. Language as an instrument of social life is greatly modified by that life and in turn modifies it. The same is true of literature and art; yet as each language has methods and laws which look simply to the communication of ideas, and not to social construction, we should not place language among the social sciences. We confine, then, our attention to those agencies which are directly formative forces in society, and by which society is understood.

There are, in social phenomena, five modes of action sufficiently distinct and organic to be termed departments of sociology. They are customs, laws, economics, religion and ethics. While these phases of action exist in constant modification of each other, they each present distinct forms and peculiar governing forces. With the exception of custom they have been treated as sciences, and the principles which underlie them have been extendedly discussed. The phenomena brought to our attention under custom are, indeed, more variable, more vague in outline, and are prompted by more diversity of motives than those under consideration in any other social topic; yet they are also more simple, more

elementary, more pervasive, more fundamental than any other lines of conduct. Nor are these phenomena less true to themselves in form, or less uniformly obedient than other social facts to the incentives which sustain them. They all the more call for distinct discussion, because they bring powerfully modifying circumstances to every other type of social action.

A custom is any usual method of action defined and enforced by the tacit assent of the community, or of the class, to which it belongs. Its essential feature is a recognized method of behavior among men under circumstances frequently, or somewhat frequently, returning. Its enforcement lies in the feelings of those whom it concerns, and its implied purpose is the regulation of joint action and intercourse. Customs, therefore, find their way everywhere in human society.

Customs may be divided into social, religious and civil customs. Social customs may be divided into those which pertain to the family, to classes and to general intercourse. Religious customs are rites and observances. Civil customs appertain to economic action, to methods in civil procedure and to law.

§ 2. The very first point of organization in human society is the family, and the earliest organic forces are the domestic customs which slowly give the household a definite and uniform arrangement. We can hardly be mistaken at this point. The household is so deeply established in physical instincts, natural affections, personal interests and social sentiments, that it cannot fail of immediate formation, nor fail of development with every step of progress. The entire record of human growth may be traced consecutively in the household, and every gift of enlightenment has crossed its threshold with new blessings. Enough of this movement has been historical

to disclose the whole. Custom has been the great law-giver here. Civil law has rarely intervened, and moral and religious sentiments have slowly expressed themselves in and under the spirit and methods of the home, kindling new lights of invitation, direction and pleasure. So pervasive, persistent and forceful have been domestic customs that it is not strange that they have often had their own altars and divinities.

The second class of social customs are those which define and maintain distinctions between classes. Much of the tyranny and bitterness of the world find their medium of expression in these customs, and they are often, therefore, the most formidable obstacles to human progress. These customs frequently arise in connection with conquest, and so settle and extend its hard terms. A composite nation is especially open to harsh customs, which stand for the unequal conditions under which its constituents have been combined. The divisions of rank and wealth come in to affiliate with these distinctions of race, and to make them the more permanent and distressful. There is thus represented in these class-customs an accumulation of near and remote differences, of superficial and permanent feelings, which renders them very invincible barriers to individual movement. They tend strongly to perpetuate and deepen the obstructions once established, and offer terms of organization of a very unjust, irrational and inflexible order. Thus, in our own Southern States, race, knowledge, social position, property, prejudice, are all united against those pure, organic forces which seek to build up society on open and free terms.

A third class of social customs are those which pertain to manners. These apply primarily to the intercourse between persons who stand on terms of proximate

equality; but, with fitting modifications, they shape also the social contact of diverse ranks. The rules of etiquette are often voluminous, and show how readily the human mind makes and accepts methods of conduct; how inevitably and even fearfully organic it is. If society is not growing in a healthy way, it proceeds at once to entangle itself in a net-work of sporadic and constricting fibres. Those who deal lightly with moral obligations, and lend a reluctant ear to civil duties, frequently feel keenly the punctilio of elegant manners, and take serious offence at a departure from these laws of simulation and assimilation in daily intercourse. Men rejoice in making and observing methods whose first merit lies in partially concealing the facts and feelings beneath them, and second merit in mollifying them. When we add to etiquette the variable forms and iridescent colors of fashion, we secure that brilliant spectacle in which the social instincts, refined out of all solid relation to the public weal, delight. Society becomes sparkling and attractive, a lake alive and rippling under sunshine. These social customs carry with them a weight which, though not felt to be heavy for the moment, is so pervasive and constant as to become excessively burdensome. Society is like a camel whose very trappings are a load.

§ 3. Religious customs are of two kinds, rites and observances. These are closely allied, and may easily pass into each other. Rites are the more definite and authoritative; observances the more free and personal, and so often of more intrinsic worth. Rites are religious actions ordered under the immediate direction of the servants of religion. They constitute the ceremonial of any given faith. Observances are religious duties entrusted to the individual in the precise terms and circumstances of their discharge. Custom may go far in mak-

ing explicit and final the method of religious observances; and yet they rest with the person whose they are rather than with a priesthood. Baptism is a rite; the regard of the Sabbath is an observance. The spirituality of Protestantism is shown in the very narrow terms to which its rites have been reduced, and in the great freedom incident to its observances.

Religious sentiment, under the ingenuity of an active, authoritative and numerous hierarchy, has often, in the slow progress of centuries, given rise to a multiplicity of customs, which, like an ample outer garment, have wrapped about the outer life. The way under them and the way out of them has been alike shut up. The straightness and narrowness of the approaches to religious experience have been like those to a fortified place. There is something incredible and portentous in the fecundity of the religious impulse, for example in the Jewish mind, as shown by the Mishna and Talmud. The lower forms of life are hardly more prolific by fission than were the thoughts of a rabbi in division, redivision, difference, variation. When a faith is external it owes its pervasive presence to this increase of religious customs.

§ 4. Civil customs are economic, constructive and legal. Economic customs spring up immediately in connection with exchange, and soon acquire a force which gives them legal significance. Not only does convenience in traffic demand proximate uniformity in methods, but uniformity is necessary to define the conditions under which transfer is legitimate and takes effect. The civil law guides itself by the customs of trade, and adopts them as an essential part of the facts.

Constructive civil customs arise at once in government, and accompany every stage of its development. What Spencer terms ceremonial government is an early prod-

uct of custom. Constitutional law begins in custom, and runs its entire career in connection with it. International law is customary law, and owes not only its immediate force, but much of its inner reason, to custom. Manner in the administration of law, rules of evidence, forms of pleading are historic, constructive methods that grow up conjointly under reason and custom.

The most full, wise and definite result of custom in connection with government is judicial law, or, as the English races term it, common law. There is no point at which custom departs so far from the arbitrary and the accidental, and becomes so well devised, rational and authoritative a method, as in common law. This is the highest development of custom,—so high that it seems almost to lose its character as a product of custom and to become the expression of pure reason and direct purpose. Yet this rational movement has been a hesitating one, restrained at every step by previous and present decisions, by the force of current legal opinion and practice. Its root is one of custom, though it has ripened in growth under a clearer light of reflection than is usual.

§ 5. Customs are the earliest, simplest products of the organic tendency in society. They arise in a large measure unconsciously, preceding all forms of conscious construction, preparing the way for them, and accompanying them. Custom is the cellulose tissue of the social body, occupying all vacant places, storing material, and ready to pass into more specific forms. Customs arise inevitably among social, rational beings. They are the simplest suggestions of sense and sentiment in methods of intercourse. Customs are an expression of feelings quite as much as of reasons, and often of very narrow and passionate ones. Customs stand for the lines of least resistance in the combination of social forces. We

have to consider in their formation both the feelings of those who are parties to them, and also their relative strength. These sentiments and this strength express themselves in the forms of intercourse which we term customs. Intercourse in the outset is shaped almost wholly by personal feelings and by interest, and only slowly yields to ethical motives. Growth in customs takes place between the two extremes of urgent self-interest and the far off force of general well-being. Neither motive is ever entirely wanting, though they sustain very different relations to each other at different times.

The primitive organism, the family, is first defined in its limits and duties by custom, a custom grossly fashioned by dominant appetites and passions and powers and interests. These coarse motives, sufficing at once to secure something like a family, are very slowly displaced by more extended and refined ones, are softened by natural affections, and are at length led into that large expression which is shaped by our purest feelings under the highest spiritual law.

Customs are the spontaneous adjustment of proximately rational action to the conditions under which it arises. Between inferiors and superiors, the weak and the strong, they are due to prudent concession on the one side and ready assertion on the other; between equals, to a tacit definition of rights and avoidance of the grounds of strife. No matter how rude society may be, it gives occasion at once for customs; no matter how refined it may be, this higher temper must still clothe itself in appropriate customs. They are the unspoken language of human intercourse.

Customs run before reason. Arising directly from feeling, they are only slightly modified by principles.

The feelings which sustain them are in turn nourished by them, and so the deeper truths of life find discovery and entrance but slowly. Customs lie between those who stand on unequal terms of advantage more frequently than between equals, and thus they are deeply colored by the assertion and the tyranny of strength. Social and religious customs are for this reason more exacting than civil ones, and earlier civil customs than later ones. When the law begins to regard those who appear before it as proximately equal, a middle line of justice is approached in method and principle of action. The degree in which social customs are the expression of feeling is shown in the fact that they are largely entrusted to women, and more vigorously enforced by them than by men. Religious customs spring up in connection with the strong feelings and urgent experiences of a profession, and are sustained by minds especially impressible in this direction. Sentiments rooted in the heart and fortified by custom pass almost unchallenged for long periods in the religious world. In the degree in which civil customs approach the domain of reason and correction, they are supplemented by positive law or are displaced by it.

§ 6. Customs arising spontaneously from the feelings present in society and from the forces by which those feelings are sustained are evidently most apt at the very period of their formation. They then combine and organize men according to existing relations, and express the most feasible terms of compromise. Even those who, as weaker parties to oppressive customs, seem to suffer under them, nevertheless find more or less protection in their observance, and by a disposition concessive to a servile position aid in their maintenance. Thus women in a rude household may still owe much to cus-

tom. The tyranny the weak suffer is not due to custom; custom softens it somewhat, limits it somewhat, and becomes a solace, even though a feeble one, in bearing it. Quick concession breaks the force of violence, and one standing within the familiar limits of concession neither provokes anger, nor gives it any justification when indulged. Inevitable intercourse between the strong and the weak, the exacting and the concessive, is at least softened and made bearable by custom. It assuages somewhat the tyrannical temper, and forces it down to an average expression.

Customs have very different degrees of stringency in different stages of society. They may be quite mild and genial in relatively barbarous tribes, prior to any extended military or civil organization. As long as the union is one of blood-relationship, natural affections and personal interests, the customs which define it will be relatively direct, simple and humane.

As soon as the love of power is awakened, and the military spirit, which is its earliest and strongest expression, begins to prevail, there is a rapid extension of government. Combining power is the secret of success in the new direction of effort, and every step, both as regards the completion of control within the kingdom and the enlargement of the kingdom itself, only prepares the way for another. Customs, now lying between classes widely separated from each other, between conquerors and the conquered, become at once more extended, definite, harsh and forceful. In this military period power is expressed toward men and through men. Things are possessed and used chiefly by the government of persons. Authority becomes searching and exacting, and defines itself in minute particulars. Laws which have to do with abstract principles are few, and customs which have

to do with concrete facts and personal relations are many. The passions of men, their arrogance and their servility find instant expression in customs. Customs spring up spontaneously in the realm of feeling; laws arise but slowly in the realm of reason. Ceremonial government follows, in the early organization of the state, the lax community of interests which precedes it.

As the military impulse gives way to the industrial one, government partakes more and more of a civil character, and has reference to the interior construction of the state on principles of justice; civil customs take the place of social ones, and laws, as in the later Roman empire, more fully define the dependence of citizens on each other. Statute law supplements customary or common law, and there is a steady transfer of law from the region of personal feeling to that of social principles.

§ 7. Customs have very great conservative power. They first direct and sustain social life, and then they may so hem it in as to destroy it, or to call for a moral convulsion to renew it. The stream cannot leave its banks till it becomes a flood. This power of custom is due, in the first instance, to the increasing force which it gives to the feelings. The feelings, shaping customs, are in turn shaped by them. Thought and action, the active out-look on life, accommodate themselves to these fixed terms; social facts arise day by day under them, and so sustain them in a thousand ways. If some are likely to be gainers by a change of customs, others are sure to be losers, and these, being in possession, carry the general voice. If each man may win something by a proposed improvement, he is liable also to lose something. The loss is an immediate discomfort. The thing to be gained is but slightly impressed on the imagination. In such a discussion as that of the suffrage of women, reason

exhausts its power without being able to overcome the feelings that spring up afresh from the immediate, familiar facts of life. These, like weeds in an ill-kept garden, have a pre-emptive right to the soil. Strangely enough, the enslaving sentiment has much the same hold on the minds of those who suffer from it as on the minds of those who owe their power to it. There is a strong sentiment of concession and conciliation passing the terms of reason on the part of inferiors toward those over them. Soldiers will quell insubordination in the blood of their fellows.

The immediate results of a change of customs are also more or less out of sorts with the relations about them. The real benefit of the change lies in the introduction of a new and better term, which will ultimately readjust all other terms to itself. Till this readjustment is accomplished, men are more aware of the present collision than of the promised harmony. Thus in so simple a question as that of co-education, deep-seated prejudices are easily maintained in a community not familiar with it, and that in spite of its uniform success with those who have tried it. A serious change in customs demands a penetrative, constructive imagination that gives ready admission to all the readjustments of a higher harmony.

Customs also offer to each man calculable lines of action, familiar conditions of success. Fluctuation here disturbs everything and may make industry and enterprise nugatory. This is especially felt in civil customs, in common law. The court is slow to enter on any line of correction. It is timid in the presence of "vested interests"; it is reluctant to contradict itself. It feels that it is its office rather to watch over familiar methods than to make new ones; to lay emphasis on what is rather than on what should be.

The impression thus comes to be planted in the legal mind that the real root of right and of law is custom quite as much as reason. That what has been for long, and is now broadly, has the right to be. Nor is this sentiment altogether false; quite the reverse. The semi-conscious, coherent reason which stands represented in custom, and has approved itself through many years of practice, ought to go for much when opposed to the fluctuating opinion which is offered as the immediate product of pure reason. It is a conviction of this order that makes a statesman like Burke.

Yet the root of right is reason, the slow-creeping reason of the aggregate mind. Customs which are congealed errors must yield to the clear, coherent push of reason proper. Every question must at length be brought into this light, and there be answered. It is well, indeed, that social construction should not be submitted to this decision till daylight is really with us.

Custom may allow one by entail to follow and control his property for a thousand years; but reason will assert, and its assertion will at length be heeded, that the dead yield the earth to the living. Each man's interest in it is a life-interest, and all beyond this must have strict reference to the public weal.

Custom is also helped immeasurably by simple inertia. Moral gravitation and social sluggishness stand for prodigious forces. The ignorance and indolence and selfishness of men lie entrenched in customs as in rifle-pits, and make an assault a difficult and dangerous undertaking. It thus sometimes happens that after the floods of many years have expended themselves in sweeping away some obnoxious custom, isolated sentiments or facts will still remain as reminders of it—as "survivals." A solitary table-rock on the plain tells how thick and broad

was the stratum to which it once belonged. English language and English feeling have such a survival. There are at least twenty-five words and phrases in our speech which express opprobriously impurity in women, and not one to cover simply the same fact in men. These words of wounding and death cover the field, as stones stained with blood strewed the ground where the Jews of old stoned their victims, and purged their own consciences.

The feeling which puts domestic servants on a different footing from other forms of labor is a survival of slavery. To offer a house-servant higher wages is felt to be a personal injury to the employer, a meddling with one's rights. To offer a workman in the arts higher pay is common, and an increase of salary as a means of securing better professional service is constant. Herein the interest of the servant girl is overlooked in behalf of those of the mistress.

§ 8. The conservative force of the different forms of custom is quite diverse, and turns on the ratio of feeling to reason in their formation. Social customs are especially difficult of modification, springing as they do so exclusively from feeling, and giving such constant play to it. The just and the unjust sentiment, the kindly and the unkindly feeling, are strangely blended in them, and harmonized under a ruling idea. Such an institution as slavery qualifies all human affections, fitting them to its own bad facts. The most gracious as well as the least gracious feelings are made to plead for it, and it is planted in the domestic affections and interwoven with them. Unfitting and burdensome funeral ceremonies afford a good example in secondary things of the persistency of social customs. These exacting and distasteful forms are felt to be obligatory, and are removed, by the emotional state to which they pertain,

beyond the domain of common sense. Woman, by her large emotional nature, becomes the priestess of social ways and ceremonies in their trivial, oppressive and divisive character. This work she undertakes the more heartily, and performs the more thoroughly, from the simple fact that higher and more just lines of influence are closed to her. The tree whose leading branches are lopped becomes a thicket of sprouts.

While there are a variety of reasons which prevent the mass of women from seeking enlarged political rights, prominent among them is the force of custom over their minds, and the feeling that any material change would be attended by the reduction of familiar and agreeable power. Such a reduction, indeed, would be sure to follow. Petty social tyrannies would be effectively broken by the enlarged methods of more direct and rational influence.

Religious customs are scarcely less stubborn than social ones. The religious circle of ideas in any given faith is a closed circle, and these ideas are fitted to act and are made to act strongly on the feelings. Rites and observances are shaped to this very end. Not only is the circle of doctrines a closed one; that of believers is also closed. They stand in almost exclusive religious connection with each other, and make it their first duty to intensify in action and reaction the religious sentiment. These customs also are entrusted to an interested priesthood or a zealous ministry, who add a strong professional bias to the predilections of faith. If under these circumstances even the non-essentials of form are altered, explosion and bitterness follow. A surplice may be fought for or fought against like the banner of a regiment.

Civil customs are less rigid principally because they

are brought into constant contact with urgent and changeable practical interests. They are put to the severe test of experience amid the stern pressure of personal concerns. Yet even here professional sentiment espouses the past and makes the admission of a new and better method a very slow and laborious process. Not till a procedure is absurdly inapplicable is it replaced by a method fitted to the work in hand. The senate of the United States preserves the forms of law on March 4, by setting back the clock when the session has passed its legal limit. This most wise and grave body evidently thinks that the law is a foolish jade to be driven with winkers.

§ 9. From this stubbornly conservative character of custom it arises that the organic form of society is so constantly out of sorts with the life-forces it protects, and thus comes to oppress the very energies it should develop. Growth may be entirely arrested by inflexible customs, and so society becomes immobile or falls into decay, according to the energy of the agents at work.

No more complete tyranny, reaching into all the relations of life, and giving well nigh inflexible conditions of action to every class and every individual, could be devised than that which arose in India in the form of civil and religious castes under a conquering race. Law was immeasurably extended by custom, and in the distinctions of castes and in the subdivisions of castes, social, religious and civil customs grew year by year, till no remnant of personal liberty was able to hide itself from them. Every joint was ossified, and society became as stiff as a statue. India, China, Japan have stood for the maximum possibilities of tyranny in society, a tyranny hardly to be broken except by external force. Religion with its

solemn and ceremonial forms and its inflexible ideas becomes a supreme agent in this vital arrest.

The military organization of the feudal period, with its sharp divisions, multiplied dependencies and exacting authority, giving rise to a long history of bitter wrong, is an example nearer at hand of the combined force of custom and law in enslaving society.

A separation between custom and law, a reduction of authority on that side and an increase on this side, is one of the first results of reason, and leads directly to the growth of liberty. The most absolute ruler has some restraint put upon him by social and religious customs. This control is later much increased by civil customs, and an absolute monarchy passes into a constitutional one. This restraint of power will often demand the substitution of law for custom. The custom can only be decisively abrogated by law, and law is less dependent in interpretation on the personal temper of those who act under it. Law will be used as a means of abrogating customs, of limiting them and of putting them more completely on the basis of the public weal. When this movement completes itself in any rapid change, a written constitution is very likely to be substituted for one of precedents. The fitness of codifying common law is even now under consideration. A challenging of customs is an act of reason, and in civil relations a preparation for statute law. Custom gives way to this more just and thoughtful form of government. When the mind is prepared for an abstract discussion and a general principle it is ready to embody the result in a law.

When the principal defences of justice have been intelligently set up in law, superseding and supplementing custom, there are room and occasion within these limits for the formation of public opinion, combining reason and

feeling in a wholesome, pervasive, flexible sentiment. In the growth of society, customs, and especially civil customs, pass into laws and into public opinion. The word opinion implies the presence of an easy and ever renewed consideration of methods—certain well recognized ideas for the guidance of conduct. Methods are no longer blind and immobile: the present ceases to be a repetition of the past. New conditions give new terms to thought. The word public implies that this reflective, thoughtful movement pervades the community. The community shapes and re-shapes its action to suit the exigencies which it is encountering. It is no longer the bitter hereditary feeling of class toward class that assigns the rights and duties of men, but a more or less complete judgment of the general well-being. Reason and right find constant entrance into the common mind.

Public opinion is far less searching and absolute than the customs which it displaces. It is not an inner garment whose friction or whose poison you cannot escape, but an outer garment which you can wrap about you in one way or in another, or leave off altogether. Like wind in the air it helps to purify it, and is only rarely tempestuous. Public opinion becomes each year more soft and genial, a more fitting expression of the moral energy of an intelligent and free people. It corrects itself in its extremes by its own action.

Public opinion is sometimes complained of as subjecting all men to one set of influences, putting upon them one stamp. The accusation is ill taken. Public opinion, as contrasted with custom, produces an inexhaustible variety with slight differences, as compared with a few, strong, deep, ineradicable divisions. Colors are blended as in nature, and not opposed in sharp outline as in prints. Public opinion is a living sarcode, out of which

all special organizations in the community readily arise, and to which they as readily return.

Law stands in close relation to public opinion, and supplies the needed strength by which the transition is made from blind customs to general judgment. Law holds the community fast, while public opinion is in the process of formation. Law accelerates the formation of public opinion, and extends and executes its incipient decrees. Public opinion, in its growth, subdues the rigor of law, and slowly displaces it; or rather suspends it, by a self-executing sentiment. It is the supplement of law softening its severe lines.

§ 10. As public opinion becomes just and pervasive, it forms the freest and the most complete government. Those who are subject to it in a large measure share its reasons, and its restraints are not, therefore, burdensome to them. The soundness of public opinion saves liberty, and its universality preserves pleasure. All government, therefore, advantageously lapses into public opinion, when this opinion has force enough to discharge its office. Incipient public opinion begets law, and law in reaction enlarges public opinion, till the law has no farther duty. Public opinion—we are speaking of a sound and progressive public opinion, as all public opinion tends to be by its own action—first seeks the support of law, and law, wisely formed and enforced, justifies, extends and establishes the opinion which gave rise to it.

In the growth of social order in a free state the question often becomes urgent, What is to be entrusted to public opinion, and what may rightly demand the aid of law? When there is sufficient public opinion to lay firm hold of the weapon of law within the proper field of law, law may wisely be used for the more rapid and complete formation of opinion. There is always liable to be in

some stage of progress a fraction of the people whose interests, appetites and passions are too strong for the government of pure reason, even when that reason is enforced by a majority of the people. Public opinion cannot push itself by its own unaided force into complete possession of its own field when thus encountered by gross feelings and vicious purposes. But it is the right of the better opinion, if it touches civil organization and social safety, to prevail, and to prevail by means of those laws which give common terms of construction. Any other doctrine concedes more rights to vice than to virtue. The mere fact that the wrong has the field is immaterial in the discussion. It is an accidental incident of progress. Vicious methods have quite sufficient advantage in preoccupation without conceding to them any rights in ethics. How shall society be organized? is the essential inquiry, and one that must be answered in reference to the general well-being, whether the method under discussion is positive or negative, already in existence or waiting to be established. The same persons who assert that the Sabbath shall not be protected by law though its safeguards have long been set up, are often ready to assert that the sale of intoxicating drinks must be allowed, as a right of which men are already possessed. In neither case is a great social question to be settled by the form of a proposition, but by the interests involved. Rights, natural and conferred, are to be constantly redefined in reference to the public weal, and no man can set himself up against a social right so defined.

§ 11. When public opinion is ready to take the place of law, law expires by limitation. That the intellectual and moral life of the community is destined to extinguish all other forms of authority is obvious, both from

the reasonableness of the thing, and from the fact that this is the constant result, so far as public opinion is purified and made to express the best thoughts of the best men. The *vis viva* of the social body is thus a pervasive, moral presence. What goes forth in the beginning as blind custom returns in the end as reason and good-will.

Public opinion arises from the penetrating power of the most rational and just minds in their contact with the masses of men. Most men must derive their incentives to action, not so much from their own opinions primarily as from those unformulated principles which underlie the action of the community, and which find changeable expression in many ways. We cannot easily attach too much value to the aggregate of knowledge, conviction and feeling which constitutes the moral power of the community. All bright minds, all men of deep, spiritual insight, all men with a mastery of practical conditions, are in daily contribution to it. As only a small portion of the conduct of the most rational man is at any one moment governed by reason, then and there active; as physical constitution, habit, the judgments of the past which lie latent in present impressions control most of his action, so in the community, the dull, sluggish and conventional mind is largely directed by the principles and methods made current through the rational inquiry and conduct of a few. Most men serve only to give mass and volume to a movement in whose formation they have taken but a secondary part. They are the body through which the moral life penetrates by sympathetic, spiritual filtration. To make the process a truly just one, there must be sufficient freedom to allow the uninterrupted movement of ideas, and sufficient general intelligence to admit of their reception everywhere. Then

habit, conventional sentiment, familiar faith, are only other forms of thought. Public opinion is thus a pervasive, spiritual potentiality, everywhere touching the actual; a potentiality of pure reason and sound sentiment to which all lines of wise thought are leading, and from which all large, free life is springing.

§ 12. This ever present conflict between custom and reason, between the past and the present, between the method outworn and the one just winning its way, between the destruction and the reconstruction which belong to all higher forms of life, contains the secret of statesmanship and of reform. There can be no sound and safe statesmanship without a profound reverence for the past, without a feeling of awe in view of the order already achieved, and fear and hesitancy in touching forces too strong to be resisted, too blind to be modified, and so easily lapsing into confusion when baffled in their first intent. Veneration for constitutional law as expressed in custom is the predominant sentiment of conservative, political wisdom.

On the other hand, there can be no reform, no progress, no radical movement without a decisive disposition to consider, criticise and correct custom, a disposition to cast the future in a better mould than that of the present. This is the moral temper to which the world owes so much, yet which it is so slow to understand.

Clear, spiritual vision finds no obstruction in custom. It searches out customs, and freely criticises them. It remembers that forgetfulness, error and abuse; that prejudice, oppression and hatred, are hidden in custom. Justice, reason and sympathy in the ordinary mind stop short with the limits of clique, class and race. To break down these barriers of spiritual life is a large part of the labor of every good man. True reform is giving free,

safe movement to just ideas. The actual orbit of society is defined by these two conservative and radical forces, and society moves in it with undue delay or with dangerous rapidity as the one or the other prevails.

Reform must work under custom, and in custom, and for custom; and statesmanship must be content with delaying change sufficiently to give the new method time to win its own strength. There must be more or less of collision and coercion in social reform, for not till the new is able to displace the old will it be able to replace it. The rational world does not move with the silent transfer and quiet precision of the organic world.

The later, freer, more fortunate forms of social growth are those which take place by means of public opinion. The secret of safety in social progress lies in having sufficient reverence for the past, and sufficient hold on sober reason, to retain the gains of movement, while admitting movement itself.

Rigid customs, customs that have ceased to obey the organic force, are preparing the way for violence and rapid change. When a nation, like the French at the era of the Revolution, begins to overthrow a tyranny that has extended into all social relations, the destruction is sweeping and terribly retributive. When a country, like Japan, breaks with the past, it has everything to alter. The Anglo-Saxon nations are rapidly passing from the semi-fluidity of concessive customs to the complete fluidity of public opinion. The utmost reasonableness in the public mind can alone make this movement safe.

CHAPTER II.

GOVERNMENT.

§ 1. THE pre-eminent field of human life is social activity. All forms of power find their best expression in this activity, and are in turn best nourished by it. Secluded, individual life is impossible, and any movement toward it is barbarism. Each life stands in connection with all lives, and must work out any large ends in fellowship with them. Largeness of end is chiefly this very spiritual extension. Hence all incentives and all interests take part in the formation of society,—and of civil government, which is its rough framework. Physical appetites and physical dependencies, natural affections and social instincts, immediate safety and comfort, the love of power and of wealth and of knowledge, spiritual motives and spiritual affections, all unite in combining men in social and civil relations. Every pushing, productive force in the individual must enter at once on some definite terms of construction with other incentives about it. This movement is the weakest at the outset, and may easily be checked when the simplest physical appetites and the earliest social instincts are satisfied. Barren soil, secluded position, the fears of more powerful tribes, the simple incitements of a weak temperament, may leave a tribe for a long time under a social organization which goes not very far beyond the herding of animal life. On this narrow basis there may be developed amiable affections not yet subjected to the strain of a nature awak-

ened and inflamed by a broad sweep of powers. Of this character are the virtues of some small and secluded communities.

But when men are aroused, when individual strength and tribal strength become aggressive, that long push toward power commences. The ambitious spirit begins to feed its own fires; the weak motives of animal life, the gentle ties of a feeble disposition, are brushed aside, and men enter on a march toward the extended rule and the multiplied resources which are incident to social combination. The organizing tendency breaks new and higher ground, and struggles after conditions more consonant with its own strength. This change must at some time come, because there are in men powers which find their full play in this activity, because all rational life demands this enlargement, and because the world gives it suitable conditions.

As soon as rational life in its social development meets a boundary it beats against it, and struggles to win for itself new expansion. The complete organization of all human life is the inner necessity of every human life; and so there arises, in one way or another, in one place or another, at one time or another, movement toward this object. There is an absence of perfect spiritual equilibrium; there are unsatisfied impulses, till all rational life is made everywhere to minister to rational life.

The first rude push in this direction is the ambition of the ambitious, the assertion of strength where strength lies; and so men enter on the career of conquest, of large national life, and the establishment of common social conditions over an extended territory. Human thought and human interest are correspondingly enlarged, and life wins new dignity from simple magnitude. Military power, power over persons, stands for greatness, and men,

individually and collectively, are stirred and controlled by this impulse. While a few men, by virtue of superior gifts, feel strongly and respond intensely to this incentive, the great mass of men share it in a secondary form, yield themselves readily to its guidance, appropriate sympathetically the part which falls to them in companionship, and identify themselves with the leader, the army or the nation with which they are associated.

This movement toward a rude form of power is the first great organic effort. It gives the world to those who can best unite it and hold it. It springs from organization, extends organization, and furnishes fresh motives to organization, both within and without the nation. It gives rise to the military era, and is the first great fact in social development. Many and bitter as are the evils which accompany war, rudely as earlier organic ties are broken down by it, and cruelly as men are trodden under foot in its marches, it still comes in behalf of fuller, larger life and a grander sweep of human interests. Only so can the race as a race possess the earth and replenish it with spiritual life.

§ 2. While power at the outset tends strongly to concentration, while its direct acquisition is the primary purpose of the few, there is also a counter-tendency in this search for power toward diffusion. He who helps to confer it must in a measure share it; companions in arms cannot be simply servants. Those who have no power can yield no power to a superior. A taxation that is extreme baffles itself. The organization which strengthens the ruler, strengthens those who administer rule, and strengthens the nation. The victorious army, rank and file, shares the sense of power, and in many ways the power itself, which accrue to victory. The ruler and the leader who can best combine men—that is, best call

out and unite their individual impulses and powers in one pursuit—will be most successful. He who struggles against this out-flow of power from himself, will soon find that he has cut off the in-flow of power to himself. A diffusion of power must begin to follow at once on a concentration of power, or power will perish from the want of sufficient nourishment. The Roman Empire became so great because it understood this principle, and freely conferred strength as well as freely exacted it. Power must divide and subdivide itself in a thousand organs as its own condition of life.

This fact is still more marked in connection with that industrial development which grows out of military development, puts limits to it, and slowly absorbs it. Diversified industries always create a large demand for liberty. These industries imply much intellectual activity, an activity that prepares the way for independence and requires independence. Few persons are to-day as little under the dictation and restraint of others as those who organize business and push forward special industries. This field is their own, and they willingly suffer, and can suffer, very little interference in it. Their position is much more free than that of the professional man or of the public man. The pursuit of wealth demands this freedom to be successful, and when successful it gives the means of enjoying it and enlarging it. The inborn freedom of prosperous industry, though severely broken in on in periods of violence, is irresistible in the end, for the simple reason that those diversified products, that extension of enjoyments, which are the insignia of power, can be secured in no other way. If the kingdom that is powerful is to be rich also,—and the two things finally become inseparable—it must concede to production and to commerce the safety and freedom which

are indispensable to them. All industrial centres have been centres of liberty, and from the nature of the case must be.

While the primary agents in production must necessarily seek safety, and secure liberty in the use of that safety, the natural tendency is, though the movement is weaker than this primary one, for freedom to extend itself to all the secondary agents of industry as well. Intelligence, activity, efficiency, can be secured on no other terms, and varied, prosperous production demands these qualities in all departments. The moment production is constructed within itself on terms of tyranny, as in the use of slaves, it tends to become gross in its products and narrow in its returns. We not only have plantation methods, we have plantation produce. At whatever point labor becomes refined, it tends to become, and must ultimately become, free. This movement does not complete itself at once and suddenly, but it stands for an innate force. Thus large industrial cities owe their refinement and their freedom to the same causes. The widening of industry means the widening of power, and this is liberty. Industry cannot be freely diversified and fully productive on any other terms. Those who propose to enjoy wealth must concede these conditions. Some things may serve to disguise this relation. Slavery may co-exist with cultivation, because it may draw its luxuries from a territory freer than its own. Manufacturing cities may show hardship and depression, because of too narrow and too mechanical a pursuit. Yet progress in the industrial terms of civilization means liberty somewhere, means at least a few free centres of creation and diffusion.

§ 3. Later organic movements—later than the first instinctive, appetitive and passionate union of men in

society—are occasioned by the love of power, power being used as a very comprehensive expression. This desire for power is incident to the possession of various powers, physical and intellectual, craving the conditions of activity. It is soon found that these powers are essentially social; that is, they cannot reach their ends except through a social medium. This medium must be enlarged, *pari passu*, with the exercise of the powers. In this process of enlargement innumerable other powers are called out in innumerable other persons, and the extension of one man's powers becomes the extension of the powers of many men.

The proper definition of personal liberty is the unconstrained use of powers. Liberty has no significance in reference to that which we cannot do. Liberty to walk means something, has a practical value; liberty to fly means nothing, has no practical value. The movement onward is some increase in the powers of action, and so involves liberty. And this increase, because of the social nature of man, stands also for the enlargement of the powers of men other than those first concerned. When the secondary movement is checked, the primary one is also arrested. This is plain in the increase of those gross forces which make up military strength. It is more distinctly true of those pervasive and subtile powers which lead to the accumulation of wealth. It is most profoundly true of that activity of thought and of those higher affections which constitute spiritual life.

Beneficent liberty—liberty which belongs to society and the state, and is not a private gain simply—means the accumulation of harmonized powers at many points, and is in proportion to this aggregate of powers. These points are the centres of individual and collective action among men. That community is the freest in which the

sum of individual and of collective powers is the greatest. The power, be it individual or be it collective, which tends to this result is beneficent; all power, the exercise of which so limits the expression of other powers as to reduce this aggregate result, limits liberty at once in the state and must ultimately limit it in the person or in the class who put it forth.

This relation is confused in men's minds simply because they aim directly at personal power rather than at social power, at immediate power rather than at the steady increase of power, and at physical power rather than at spiritual power. Superiority is what they appreciate and desire, not power to be used comprehensively and beneficently Superiority demands inferiority, and turns on the existence of a disparity of relations. It is, therefore, in opposition to general liberty, and is tyranny Beneficent power demands the steady extension of power everywhere, and is nourished at every stage by that extension. It is in perfect harmony with general power, and with liberty.

Every movement forward in society means simply an increase of beneficent power, which is harmonized power. And harmony in the development of power is only a condition of its continuous and universal growth—belongs to its very nature in its wise diffusion. Power that breaks away from this law of harmony is suicidal. The extension of power is the extension of liberty, and slowly issues in an immense accumulation of beneficent powers for each and for all. The things which disguise this fact are, first, the value we attach to the gross term, physical force; and, secondly, the fascination which a glaring inequality of powers has for us. The pugilist thinks himself a stronger man than the philosopher, and may readily pity him. The well-to-do citizen fancies

that the barbaric chieftain has far more power than he, and so far may envy him. He forgets that it is the immense accumulation of powers about him that hides his own power; that by means of these he can touch the ends of the earth and be touched by them; that he is quickened by a nerve fibre that encloses the intellectual universe, and that he can in turn quicken it. When the chieftain wishes to show his strength, his instruments are few and close at hand, and the effect is scenic only because of the unusual form of the play and the narrow stage on which it is rendered. When the citizen wishes to manifest his power, the agencies of that power are subtile and remote, and of immense mass, and are shared by many others. The effects are large, but are made trifling to the senses by the extended area over which they operate. To kill one man just at hand seems to the fool a greater feat than to help ten men on the opposite side of the earth.

Social liberty is, then, the possession of beneficent power; civilization is the diffusion of liberty. Individual liberty partakes of this true liberty, this beneficent liberty, when, first, it belongs to powers harmonized within themselves; and, secondly, to powers harmonized within the community. If individual action is in arrest of general growth, it is also in arrest of its own growth; it is in conflict, sooner or later, with itself; is unbeneficent, illegitimate, self-destructive. All organization within the state, however partial and incomplete it may have been, however faulty, judged by some later or more ideal standard, has been legitimate which has been, then and there, in furtherance of power, in furtherance of liberty. From a subsequent position it may bear the aspect of tyranny. That fact is immaterial. Every previous stage in progress must bear this appearance to every succeeding one,

simply because progress itself consists in casting off restraints in the diffusion of power. We shall come to see more and more that this diffusion of power is one process for the few and for the many.

A pint of water in the ocean seems insignificant, but it affects freely cosmical forces, and is freely affected by them. Subtile energies, near and remote, play through it, and extend its relations. A pint of water in a cup is an appreciable and an important factor, but it has lost in a large measure its cosmic value; it lies in insulation and suspension among working agencies. Men may readily be more interested in that which suffers the isolation of a golden goblet than in that which has the wide range of all worlds.

§ 4. Government—passing the tribal form—first occupies itself with that organization which concentrates power,—makes it effective, and prepares the way for its increase. Immediately, however, there sets in the opposite reflex tendency of diffusion of power. With this movement arises the need of the adjustment of powers with powers—of justice. This is the process of the ages that widens and deepens till all men and all interests are included in it. On this readjustment of powers all light falls; in this readjustment all growth issues. Organization is complete and perfect in the degree in which all latent powers are called out and put on a footing of reciprocal aid with other powers and the powers of others. There is growth in society simply because a complete harmony and perfect ministration of all with all are possible, and because there are forces which work unconsciously and consciously toward this result. These forces may be turned aside from their purpose, and they may be accelerated in it; but they are always present to put forth ceaseless efforts, till the fitting relation, the creative

combination is reached, and the necessary and the free have united in effective growth.

Powers impose duties. There is no plainer principle in morals than this, that the harmonious use of a power is a duty. The primary and simplest form of this principle is that that use of one's powers is obligatory which promotes his own well-being. More thought and insight are called for to impose that use of powers which is beneficent for others. We come to see but slowly, that there is not only no collision between these two forms of action, but that in long periods and broad relations they are inseparable from each other. This seen, the field of morality is found in its true breadth.

But we can start with no simpler truth than this: The wise use of one's powers in reference to one's self is a duty; something directly imposed by reason as in itself rational. This duty, in relation to others, carries with it rights. A man has a right to this use of his powers for his own advantage. This is the rational significance of a power. The right, in each case, accrues at once, and can only be overborne by sufficient reasons. These reasons are ultimately the well-being of others—the well-being of all, and so the well-being of each, even his well-being whose powers are restrained. The problem is never put us in morals of a real and final collision of interests between any one man and all men.

As a man has many powers so he has many rights. Regarding men as one species with the same constitutional endowments, their primitive powers, and so their primitive rights, are the same. The attention being directed strongly and exclusively to this oneness of constitution and the typical character of the individual, some have reached the simple doctrine: Each man has a right to every exercise of his powers which is con-

sistent with a like exercise of the same powers by others. Under this principle the fountain of powers and rights is everywhere the same—the individual in his primitive endowments. Each man is the centre of a circle of rights, and each circle is the same with every other circle. The protection of these rights from trespass is justice; is the office of government. Social organization consists in securing that use of personal powers which is, in each and all, consistent with the most complete possession of one's own activity, and the most perfect exclusion of the activity of others.

This result, if fully reached, would be no further organic than is the honey-comb. Each cell is pressed by contact with other cells into a hexagon, and they divide the space between them. They occupy all the space with an equality of areas and a likeness of limits.

The idea involved in the representation is a very important one on the side of individual rights, but it is very far from covering the whole ground of social construction. In the first place, it lays chief emphasis on constitutional equality, whereas the facts of the world and the progress of events are always bringing uppermost individual and national variety. In the organization of society individuals have never counted as equal units. They could not have so counted, simply because they were, for all practical purposes, very unequal, and out of this inequality social movement was to come. Men do not to-day count as equal units. They never will so count. The conception has not the merit even of standing for a remote ideal. No ideal can include an equality, or anything very near an equality, of powers in actual exercise.

But if the powers in exercise are not of equal force the areas occupied by them cannot be of equal extent.

What one man does in one direction may exclude other men in the same direction. What one man has won as property another may not be able to win. The office which one enjoys is not open to another. The influence which one man exerts is more or less at the expense of the influence of his neighbors. Human enterprise has a common territory which men occupy somewhat to the exclusion of each other. We are not dealing, as in the hive, with identical instincts, but with variable enthusiasms. The man of persuasive wisdom wins the field to the apparent, and at times to the real, exclusion of competitors. They may gain by his gains, but if they do they gain as the soldier gains by the enterprise of his leader. The space between soldier and leader is increased by the dominant vigor of the leader. The right of the soldier to become a leader, if he can, resting on inadequate powers, may be no more significant than the right of a man to fly.

Yet this principle of equality does invite attention, though in a somewhat obscure and fanciful way, to the original unity of man's nature, and hence to a certain identity of powers, duties and rights. It enforces, though not in a practical form, the recognition of this unity of constitution in social organization. This principle of equality is like the law of gravitation: it is always at work, but never entirely prevails. If gravity did prevail, it would destroy all organic construction; if equality prevailed, it would arrest at once social organization. Yet neither of these great forces is, therefore, to be neglected. The principle of equality modifies all results, as gravity alters all life; and each, when there are no more potent energies at work, defines what the issue will be. Equality is not a "glittering generality," though it may never completely cover any social facts. It is present in

all social facts, making them different from what they otherwise would be. The stake does not fasten the tethered horse to one spot, but it and the rope together define his circle of movement.

Equality before the law is a very subtile and abstract idea, but also a very real and potent one. It stands for a constant renewal of opportunity in every man, for quick potency in personal powers as soon as they arise. It stands for one great condition of progress: the desire to reduce the results of past defeat; the wish to renew the struggle of life on fresh and fair terms. Healthy, human society is made up of these two conflicting tendencies toward inequality and toward equality; the purpose to win power and the purpose to divide it; the encouragement of enterprise and a redistribution of its fruits.

§ 5. The second objection to this formula of an equality of individual powers, when it is looked on as the organic law of society, is found in the fact that it does not recognize the powers which society itself possesses, the powers to which it gives rise in groups of individuals, and the various ways in which it enlarges the primitive endowments of men. The distinction between natural rights and civil rights is a vanishing one at intermediate points, yet it indicates distinctly two positions which are very far apart. The savage retains his implements of war and of the chase by direct, personal force, by natural possession. A wealthy citizen in a civilized community may hold a large property of visible and invisible forms, and in remote localities, and hardly be aware of the fact that any watch or protection is called for. The state immensely extends the field of possession, and makes it, through its enlarged domain, far more efficient than it previously was in its narrow bounds. There is no parity

in volume between natural rights maintained by personal power and civil rights supported by the state. The state also confers powers on the individual quite beyond anything of which he finds himself in possession. For example, the state grants a patent right, and the patentee is at once prepared to enforce ownership of the utmost value over the whole national area. It should also be noticed that such a gift is in direct contradiction of the principle of equal individual rights. The patent, once granted, makes an express difference between this man and all other inventors in the same field, prior, contemporary or subsequent. The ground is pre-occupied to the exclusion of all claimants.

The state also confers new and great powers on subordinate groups, or is the means of developing them in these groups, such as simple associations, co-partnerships, companies, corporations. Here are new sources of strength that carry with them new duties and new rights. The inequality already existing between individuals is greatly increased by this additional inequality between a single man and a strong body of men acting together. The rights of these corporations are an inseparable compound of natural rights and civil rights, of what men can do by united effort, and of this form of action extended, sustained and defined by law.

The state itself, also, by virtue of being a state, comes at once into the possession of powers quite diverse from those of the individual, and very much greater than his. These powers immediately carry with them duties and rights. These new possibilities are not an aggregate simply of the potentiality of each man composing the community. The state as a state enters directly upon a complete circle of higher relations to other states, and to its own citizens, of which the individual knows noth-

ing. In the last resort, the individual aids by physical force in sustaining these powers, but the powers spring up of themselves from the new attitude which belongs to the state. The sovereignty of the state is no more made up of driblets conceded it by its citizens than is the efficiency of a machine the sum of the efficiency of its separate parts. This idea, then, of primitive and equal and exclusive powers in persons, as the ultimate organic units of the state, is in no way applicable.

This conclusion is farther enforced by the fact that the state is organic, and not composite. It is organic in this sense: that undesigned and inevitable forces, as well as designed and voluntary ones, take part in its formation, and that this formation is one of diverse, mutually exclusive and reciprocal functions. An organic body, in the measure in which it is organic, does not admit of identical and equal units; its units cease to be identical in office and alike in powers, and owe their greatly increased value to a division of offices, and to mutual helpfulness through distinct forms of service.

The truth of this view is also seen in the fact that it explains the past. We cannot pronounce the very movement by which all progress has been achieved—the only movement which has in truth been possible—an illegitimate one. It may bear this aspect at some times and in some of its features, but as a whole it must have been essentially correct, otherwise growth ceases to be growth, and the true movement would have been something which, from the nature of the case, could not have been. A theory of simply individual rights ruins itself by being inapplicable to the facts, past, present and to come, which have constituted, constitute or will constitute the state. Each state has been legitimate in the degree in which, then and there, it has lain in the line of the devel-

opment of the powers of men, singly and collectively. Collective power has come first and individual powers have grown up under it and by it. This fact belongs to the constitution of man, and gives the only possible order of growth. Each state determines its character by its attitude toward that phase of progress with which the community, in its internal and external circumstances, is occupied. To deny suffrage to women to-day may be a grievous act of tyranny; to construct a monarchy in the past may have been a humane labor.

§ 6. We shall all feel, however, that this doctrine of primitive and equal rights springs from a deeper struggle in the mind for a principle, and for a principle of more moment, than the considerations now offered have indicated. All growth arises from what we may figuratively term a conflict between two tendencies, one of concentration and one of diffusion. The solar system in its centrifugal and centripetal forces rehearses this lesson. Organic energy in the living body is incident to decomposition and recomposition in its ultimate constituents. Taken as a whole, its composite life is due to separation and union—a separation of organs and functions in action, and a union of them in reciprocal offices. If either tendency encroaches on the other, if the organ acts without primary reference to the body, if the body in its joint efforts encroaches on the organ, weakness and decay must follow. In government, concentration comes first, and may easily anticipate and prevent diffusion—the growth of functions and powers in the individual. Correction of this evil means liberty, and becomes a perpetual claim. Yet an individuation which should go to the extent of this principle of equality would so weaken the body politic that its several members, while seeming to gain power, would lose it in a high degree. Order,

strength lie in that balance between concentration and diffusion which yields the largest aggregate life. The principle of equality is meant to bring strongly out the vigor of the unit; lose this and all is lost. There must be a current and a counter-current, an ever renewed tendency to enlarge individual power, accompanied by the tendency to hold it compactly within that complete current known as the state. The state must find its power in the individual, the individual must command the full power of the state. This is a government of the people for the people.

There must, therefore, be a perpetual effort toward diffusion, a struggle constantly to renew, through the entire community, the powers and rights of each man as an essential condition of free and fresh combination. The life of society is one of mobile equilibrium. It does not so much abide in a body organized in a definite way, once for all, as in a body that is ever renewing and modifying its organization in reference to a more perfect product. Freedom for this movement, and freedom for the individual to take part in it: these are the primary wants of society. Fresh individuals are coming from all quarters and from all classes with every variety of powers; and mobility, as complete as possible, is the condition of free participation in healthy growth.

The principle of equality aims at this liberty, and is just, so far as it is necessary to it, and good, in so far as it reaches it. Equality, however, as an arbitrary, absolute factor, would destroy all combination, and so destroy its own value. Liberty is for the sake of combination, and equality, in the potentialities which society confers, is for liberty. All combination tends to become fixed, and so to destroy farther combination. Liberty, equality resist this tendency, and renew day by day the conditions

of farther growth. Thus many of our states revise their constitutions from time to time to admit fully into the fundamental law new conditions. A race that is fair demands an equal start. The race itself destroys at once this equality of advantages, and a series of races must renew it. As new competitors appear, or old competitors seek a new trial, the games are restored by restoring their first terms. A wise state must concede a certain concentration of power. To deny this accumulation of power is to refuse organization, and so take away the promise of growth. The state must also by every just device restore the conditions of renewed organization, and prevent the past from preoccupying and controlling the present. This is the very difficult task of government. In this movable equilibrium the justice of to-day becomes the injustice of to-morrow. The interests of the community demand a constant transfer of advantages from competitor to competitor. The watchful eye of the state must be directed for protection to all classes of persons who are likely to lose ground by their own weakness, and so be permanently thrown out of the ways of advancement by the simple force of events. The wise physician strives to quicken the dormant members of the body, and to quiet the activity of the fevered ones.

§ 7. The office of the state is not, then, simply to recognize a primitive equality of rights, and to grant these rights that protection we term justice. Such a course will soon issue in extreme inequalities. It has the far more difficult duty of encouraging and aiding unimpeded activity in every class, and at the same time renewing its conditions in each class. Each citizen is, under general principles, to be put back as speedily as possible on his feet when he has lost them. The race is to be renewed, morning, noon and night, on equal terms.

The state must thus be benevolent as well as just. While it takes from no man what he has, it must not allow any man such an exercise of his powers as will ultimately swallow up the powers of other men. But this, it may be said, is a return to the principle of equality as contained in the doctrine of protection as the sole duty of the state. Not so. The state must put positive limits on powers, when, by natural force and the conferred energy of society, they are ready to break the bounds of prosperous and beneficent competition. The state must also do all in its power to renew, with the same certainty and constancy of renewal with which the generations follow each other, fair conditions in every place for individual life, and for the protection and aid of those classes which are worsted in the general conflict to that degree that they are ready to lose all part in it. The state must be benevolent as well as just, and its benevolence must look to the same end as its justice,—the general well-being, construction.

Justice is a claim. It rests upon a right. Benevolence is good-will, is a gift, springing freely from the giver. Benevolence in the state is called for in that antecedent preparation by which classes are made ready to advance and maintain their rights; in that aid by which they are directed and sustained in the use of justice; in that defence against the pressure of superior classes which is liable to rob them again of advantages once conceded. While the state finds representation in rulers whose interests are more or less separate from those of the people, and who are narrowed in their aims by these personal concerns, still the officers of the state are lifted both by the duties of their position and by the position itself into the range of the broader and more inclusive motives which belong to the general well-being. These

motives must be constantly operative, leading them to furnish anew suitable conditions between man and man, class and class, or the narrow enforcement of justice between persons standing on very unequal terms of advantage will go but a little way in securing prosperity. The state must aim at a perpetual renewal of the opportunities of life in every man and class of men. No misfortune must be complete, no disposition final. Nothing must be so settled that it cannot be re-settled on higher grounds.

This renewal of opportunity, while it is prompted by good-will, approaches a claim of justice, when we are reminded that society itself is being renewed each instant by those who are coming into it with claims damaged by no previous failure on their part, and narrowed by no delinquency of their own. A most surprising tyranny, covered up under the laws of descent, is that by which the rights of succeeding generations are defined by the acts of previous generations. While we could not if we would, and would not if we could, cut off the law of natural descent, there is no good reason for adding to its force, or extending its area, by civil law. The claims of the coming generation, bringing with it fresh powers and fresh hopes, should have far more weight with us than we are wont to give them. Possession—and often our own possession at that—goes for far too much. Fresh life, a renewal of opportunity, equality between those holding and those who are to hold the world, a lapsing of strength here to make way for a growth of strength there, these are the urgent demands alike of justice and good-will. This renewal of opportunity in behalf of those who are to be, this protection of the future against the present, should go as far as it can go and not destroy the favorable conditions of the prob-

lem of prosperity already won in the process of solution. The dissolving of the old must be like decomposition in a living tissue, a decomposition which is a product of life and leads to farther life. The motives to activity must remain relatively equal and intact in each generation, in that passing and in that to come. The mobility which is advantageous to all must be found everywhere. It is not in its use to be used up at one time, and so lost to subsequent times.

The widest and most inclusive diffusion of power, issuing in the largest aggregate of power, is the aim of society. This process of diffusion is inevitable, yet it is far more the product of unconscious forces in its earlier than in its later stages. Classes have more power to check the movement than persons, and nations than classes. Narrow and selfish tendencies are better disguised and more effective when they are united to race distinctions than when operative between man and man in common citizenship. In all later stages of diffusion, benevolence—a direct recognition of the general well-being, and a conscious pursuit of it—becomes the dominant impulse. The unconscious is ever preparing the way for the conscious, and later social constructions arise in the clear light of reason, and under the warmth of universal regard. Only thus can the inner and the outer, the higher and the lower, the life and the form of life, be made fully concurrent in a beautiful product.

§ 8. If this movement, starting in the push of individual powers that draw into their current the powers of all about them, fails to be followed by a steady extension and diffusion of power, in the military and in the industrial stages, it first suffers arrest and then retrogression. This statement is self-evident. The growth of power must be extended by its diffusion. It is impossible to

concentrate it in persons or in classes or in nations otherwise than by this very process of enlarged organization. If power ceases to enlarge itself it runs, like life, a brief career, and, in the constant flux of forces, begins to decay. In periods of conquest, this weakness issues at once in defeat and overthrow. Outside pressure precipitates internal change.

In our own time, when the possibilities of conquest are greatly reduced, it may not seem so easy to answer the question, How will arrest in the growth of liberty destroy a nation? It is still possible, however, as in the case of Turkey, that slow disintegration will follow on internal decay. A nation may thus perish by the silent encroachments of stronger forms of life about it. While a military age may settle these questions readily and rapidly on the simple basis of force, an industrial era may reach the same result with hesitation and delay.

An industrial form of society introduces a great many new factors; alters within each nation the basis of weakness and strength; greatly checks the spirit of conquest, putting in its place that of commercial enterprise; and gathers distinct nations together in a confederacy of unwritten law, which, without relieving them from violence, reduces its range, and gives a guarantee of their mutual integrity. While industry has not yet cast off the immense burden of war, it has greatly reduced its possibilities of disaster, has put upon it a new form, and made it in a measure subordinate to itself. In a military period an empire begins to weaken the moment it ceases to be able to incorporate its conquests, to make them share and enlarge its strength. In a partially industrial era, when diffusion is checked between classes, a nation suffers at once the decay of luxury. Those above and below are enervated, disunited and laid open to inside

conflict and outside pressure. The question, How will arrest in liberty, in a primarily industrial period, destroy a nation? must be answered in view of new internal changes. The question virtually becomes, How do industrial interests enlarge themselves, making way for higher development; and how, ceasing to grow, do they destroy the growth already achieved? The new spirit by which an industrial nation must complete its growth is that already indicated,—the spirit of good-will. If the gains of industry are allowed to fall chiefly to one class, and its labors to another class, the motives of industry begin to be lost over large areas of population. If there is intelligence enough to discern and resent the fact, restlessness and dissension follow. Existing ties of organization are weakened, and there are no better ones to take their place. Social questions, as in Ireland, are discussed with bitterness, and give rise to violence. Unaided by good-will, justice is confused in theory and lost in practice.

Under these circumstances one or other of two tendencies must find way. The community must sink back to a construction that rests on force, and so be ready to take the chances of violence within and without, or it must rise by discussion and concession to a higher plane of good-will. An era of good-will must settle the questions which an era of industry brings into the foreground. The intellectual activity of such a period is borne into every class of society, and the new issues which are raised between class and class must be settled with the liberal and final adjustments of sound reason. Failing of this, there will be a recession in society toward violence. Strife within the nation will carry it forward to a higher civilization, or force it back toward the civilization it has already left. There will be little reluc-

tance even to conquer a people whose foundations are breaking up within themselves. The real reason of the division of Poland was the want of inner, coherent national life. The upper classes were hopelessly divided against the lower classes and between themselves. Anarchy will make way for the most untoward adjustments. Industrial growth must ripen into a pervasive, intellectual and spiritual unity, or it will simply have raised a strife between man and man, class and class, to its own ruin.

This fact begins to be illustrated in our own time by the rise of socialism, full of an irrational and bitter temper, and yet with an obscure principle at its centre which feeds its diseased energy. Let the working classes become partially intelligent, and at the same time encounter a hand of power pressing them backward, which they know not how to meet, and they will fall into the fallacies of socialism, and cruel, blind overthrow will follow on selfish, blind construction. The danger in this direction is now distinctly visible. The serpent's head is above the grass.

§ 9. There remains one other question which we wish to consider in this connection: the right of the state to plan and pursue the general weal; the right of the state to supplement the unconscious organic tendencies from which it springs, and which are always with it, by conscious efforts directed toward the same end. We have recognized it as a fundamental principle in morals, that powers impose duties, and duties confer rights. This principle is applicable, whether the powers under consideration are those of one man or of ten men acting conjointly, or of the state. The individual has no deeper foundation for his rights, and the state has no less foundation. If three men standing upon the shore

can man a boat lying on the beach, it becomes their duty to rescue a drowning man in the surge, and it becomes their right to lay hold of the means necessary for this result. A duty springs out of the power, and as the power belongs to the three collectively, the right accompanies it in that form. Neither is the state emasculate in this regard. It may do what it can do on the same grounds and for the same reasons that the individual seeks his own well-being. Its powers are as much its own as are the powers of those who compose it. The power of a man, the power of a father, the power of a ruler, is, in each case, defined by his circumstances, and in turn assigns his field of action.

Facts, the history of the world, confirm this view. So states have been formed; so they all stand to-day, the freest and the best of them. They rule their citizens as exigencies demand and circumstances permit. They put them in office or put them in prison; they leave them unrestrained or they conscript them, according to the case in hand. While not everything that is is right, the inevitable and universal movement of society discloses the laws which underlie it, and our theories must be as broad as these facts.

The general well-being cannot be fully met by any other view. The very view is that this well-being may be pursued by the state with all its available resources. Their relation to this well-being defines the justness of means, and not the relation in which they stand to the primitive rights of the individual. The individual for the moment is gathered into a larger life and must share its fortunes. Any other theory, by sacrificing the state, sacrifices the individual also, as the larger includes the less. The well-being of the state is nothing other than the well-being of its citizens, and though it may not

stand here and now for the welfare of each one of these, it does stand for the indispensable conditions of their permanent and progressive prosperity.

This view recognizes the organic force of the state. It is not a piece of mechanism simply, something to be made and unmade at pleasure. One form of organization lost, another springs up in its place, and the constructive and destructive energies at work stretch much beyond the circle of choice. Even when they seem to be within that circle they are only partially so. The individual mind more often has not the power it seems to have, and is overshadowed by forces deeper and more unchangeable than itself. Said to me a very intelligent man, who took part in the effort to establish a confederacy of states in the southern portion of these United States: "During all the later part of the struggle we saw clearly what the result would be, but we could not stem the current of events. We were compelled to fight it out in distinct view of failure."

We should not mistake at this point. The state is both an unconscious and a conscious product; an organic and a voluntary one. In earlier periods it is primarily organic; in later ones it is increasingly voluntary. Organic forces prepare the way for, and give footing to, free, thoughtful ones, and if at any time these relax, those take their place. Thus in the body of man physical powers are the basis of intellectual ones. As thought extends, instinct recedes; and as intelligence wanes, organic forces prevail. We may mistake in regarding the state as wholly organic, the product of necessary forces; we may make the greater mistake of supposing it to be a simply free association, owing all its just powers to the consent of the governed. This formula applies, if it applies at all, to some remote ideal state in which the

conscious and free element shall have covered and superseded all unconscious forces,—that flow of events which no man can stay. Liberty and life, as we now find them, lie at the line of interplay of the fixed and the flexible, the necessary and the free.

§ 10. If what has now been urged is granted, there may still be found some who will deny the ability of the state, by its own constructive action, to further the public weal. The state may do what it can do, but what can it do for men save misconceive and misinterpret their interests, forget the many in searching for the welfare of the few, push aside the enterprise of some and mislead that of others; what can it do but hopelessly entangle those natural laws which lie at the foundations of prosperity? While there is in this phase of question and denial much wisdom, there is also no slight or obscure error The considerations it has to offer impose the utmost caution, but they do not forbid effort. The very evils that are attributed to the interference of the state show that the state is not as powerless as the theory implies. If it can do evil, as all admit, it can also do good. If it is potent enough to embarrass the laws of nature, it should be potent enough to aid them. Says Mr. Rogers: "In 1814, the quarter session's assessment and the compulsory apprenticeship enacted by the act of Elizabeth were abrogated. They had done their work thoroughly, and the regulation of laborers' wages had been so completely successful that they were made mechanically to follow the price of food."* "I have shown from the earliest recorded annals, through nearly three centuries, the condition of the English laborers was that of plenty and hope; that from perfectly intelligible

* "Work and Wages," p. 501.

causes—natural and legal—it sank within a century to so low a level as to make the workman practically helpless, and that the lowest point was reached just about the outbreak of the great war between King and Parliament. From this time it gradually improved till in the first half of the eighteenth century, though still far below the level of the fifteenth century, it achieved comparative plenty. Then it began to sink again, and the workmen experienced the direst misery during the great continental war. Latterly, almost within our own memory and knowledge, it has experienced a slow and partial improvement, the causes of which are to be found in the liberation of industry from protective laws, in the adoption of certain principles which restrained employment in some directions, and most of all in the concession to laborers of the right, so long denied, of forming labor partnerships." * The author discusses at length the effects of customs and laws on labor through many centuries of English history, establishing the fact that they have done great injury and also rendered substantial aid. These facts confirm our conclusion, that the state is certainly not powerless for evil, and is as certainly powerful for good. The lesson taught us is not one of non-interference but of wise guidance, a careful study of all the forces with which we have to do, and a handling of them according to their nature. This is no more impossible in the use of collective power than in the use of individual power. The individual helps himself by working with natural law; the state may do the same thing. Both have made grievous mistakes; both should learn to correct them. Wisdom is no more denied to the state than to the citizen. The inference from the follies of the state goes

* "Work and Wages," p. 522.

quite too far, and in affirming these follies to be complete and inexhaustible we go quite too far for any scheme of human progress.

We have considered simply the fundamental principles operative in the growth of civil society; such principles as, united with the leading incentives of economics, religion, morality, are always present to determine social construction. There are many forms of government, many stages of government, many degrees of change from stage to stage. These give occasion for numerous subordinate principles. It belongs to the science of government to discuss these fully; nor are they unimportant in connection with sociology. A rapid, synthetic survey, however, calls only for those primary terms which outline the directions and forms of growth. The discussion of details is later, pertains more immediately to the several branches of the subject, and is more historic.

The first product of organic action is custom. The formation of customs is largely of that spontaneous, undesigned nature which is frequently termed instinctive. Civil government follows at once out of custom and with custom, supplementing it with more definite construction, while it itself is supplemented by customary sentiments, manners, methods. Civil government involves a more direct and clear appeal to reason than that contained in custom. Custom and civil government unite in giving that social order which prepares the way for economics —production and exchange. The principles which control this extensive and engrossing field are next in order.

In connection with this social construction and activity there arise religious ideas, so largely the product of social activity, and in so many ways and so profoundly modifying it. Supreme above these contending forces, these diverse incentives in social action, rise the moral

sentiments. Moral law is, in a supreme sense, social law. The true harmony of individual and social incentives is morality. The method which does this work completely expresses the moral law. Religious ideas sustain and enlarge the principles of morality, and find their clearest statement in them. The love of God on its visible side is the love of men. Morality is that truly comprehensive law, that profoundly rational insight, which comes to all individual lines of effort, assigns them an ultimate end, and defines their relation to each other under it. Sociology culminates in moral philosophy,—the philosophy of human activity in all its phases, in all its incentives and in its individual and social terms.

The development of society can no more end in an industrial stage than it could have terminated in a military one. It must press forward under the profound forces of our spiritual nature to a moral stage, which is a completion of rational construction under all the diversified and growing impulses of a spirit rich in original powers and acquired activities.

We are entitled to these leading conclusions. Civilization means a constant increase and diffusion of powers. That this increase may go forward powers must be more and more harmonized within themselves and made more and more extendedly beneficent. This means organization, integration. It is an office of government to initiate, protect and extend this movement. The movement can only be perpetuated by constantly rising to higher planes of action, by accepting broader impulses. If these better impulses are at any stage of progress rejected, decay and retrogression follow. The growth of society lies between force tinctured by reason and reason escaping from force.

CHAPTER III.

ECONOMICS.

§ 1. POLITICAL Economy is one of the most distinct, well-developed and exact of the social sciences. It obtains this apparent completeness by isolating its data, and considering them out of their actual relations. When the entire facts of which these data are a portion reappear in their full variety and complexity, the precision and decision which belong to the principles of this science are in a measure lost. There is the same difference between the economic facts of the world and our reasoning about them that there is between applied and pure mathematics, though this difference is greater in degree. The theory of mechanics is absolute; its practice is beset with changeable terms beyond our knowledge. In daily calculations we deal with averages,—average friction, average strength of material, average accuracy of workmanship.

Political Economy treats of the industrial principles which control the production and distribution of wealth in a community and in the world. The science is possessed of an extended array of principles, and in spite of much unfavorable criticism, is one of the most successful and valuable products of human thought. As the facts of Political Economy belong either directly or indirectly to human action, its incentives are those of the human mind. The impulses it takes under consideration, and to which it almost wholly confines its atten-

tion, are obvious desires and repugnances which belong in different degrees to all men. Any form of gratification which turns directly on wealth, or is aided by its possession, calls out a desire for it. Any gratification which is interfered with by the pursuit of wealth, even if it be no more than the pleasure of indolence, occasions a disinclination to the labor demanded by production. Political Economy considers human action as it lies between these two simple sets of incentives. All is wealth which has an exchange value on this ground of gratifying human desire, and all exertion to produce wealth in the face of this disinclination is labor.

All that we are now interested in considering is the relation of Political Economy to Sociology, and this is found not so much in its special principles as in the first assumptions and fundamental forces which underlie them. These all turn on the simple opposing motives which create conflicts of feeling in the individual and of interests between individuals. It becomes, in this limited view, an axiom that each man will desire the largest return with the least labor. This, on purely economic grounds, is the only rational attitude of mind, and thus presumably the universal one. In a theoretic separation, therefore, of economic incentives from all other incentives, the statement becomes a fundamental truth. Nor is such a separation in scientific analysis unwise or unfruitful. This axiom expresses the law of forces which are uniformly present in human action, no matter how much they may be modified in any given case by other considerations. It is a strictly scientific process to trace these motives by themselves, and so to develop the principles of production that depend upon them.

A second fundamental assumption is that the direct, natural corrective, and within the science itself the only

corrective, of exaction is competition. If one will not put forth a given amount of labor for given wages, another person must be sought who will accept the terms, and the consensus of a given community as to wages and prices is the only possible measure of values —of human desires and repugnances expressed in terms of wealth. Political Economy deals in its discussions with large communities, and the larger the community the more equable and fixed is the average which is expressed in values of all sorts. It seems obvious, at once, that the fluctuating desires of men, which are the basis of values, can reach no expression otherwise than by this extended competition, and that this competition or comparison is the natural corrective of any excess or defect in any one person or place. It is at least plain that there is no other measure of values. For any one man or set of men to force an exchange on terms satisfactory to themselves is to break up the whole theory and fact of a play of desires and of interchange under it. When the principle of competition is set aside, Political Economy goes with it. This principle is fundamental in the science, and in the facts of which it treats, unless violence intervenes.

A third principle follows from these two, and is urged as a safeguard against either a selfish or a benevolent trespass on the field of Economics. Each man is the rightful judge of his own desires and the appropriate protector of his own interests. If he has an exceptional desire or repugnance he is entitled to it. No man may force an exchange upon him. Such an exchange loses at once its economic character. Each man is for a like reason entrusted with his own interests,—interests which no man but himself can fully understand or fully feel, and no man but himself so well watch over. To inter-

fere with this principle is to rule out the natural players in the economic game, and so break up the game itself. No man may claim his own and another's also. That right which entitles him to see to his own concerns forbids him to meddle with those of another man. The facts of the world, at least in its better portion and on the surface of things, meet this theory fairly well. The most prosperous community is plainly that in which each man is most freely at work on his own affairs.

The above principles are so clear and so pervasive as to give the foundations of a science; and the science itself is so close to the facts which it concerns as to touch the great central forces operative in them, even if these forces are not always the controlling ones.

§ 2. Having stated the fundamental incentives in Political Economy, and the axioms which follow from them, we wish to inquire what are the extraneous, modifying forces with which they are found associated. The first and simplest of these axioms, and the one of broadest application,—that men desire the largest returns with the least labor—is far from fully covering and actually expressing the impulses which take part in defining labor. The axiom implies for its uniform and ready presence as a law of action complete intelligence and mobility; intelligence, in order that the workman may see with correctness what lightest lines of labor promise the largest returns; and mobility, that he may at once fall into them. As we move downward in social life both of these conditions are rapidly lost. It would seem to require but a simple order of intelligence to discern the most profitable forms of labor open to one, and very narrow insight may often suffice for this purpose. Yet if we undertake to answer in any large way the question of the most fruitful application of labor, we shall have

occasion for far-reaching inquiry into the future and sharp insight into the present conditions of production. Very few laborers are able to overlook even the particular field of effort to which they belong, and so to guide their action in it with wisdom. The impulses expressed in the axiom are present to supply the needed force, but the proper, wise direction of the force remains a question of doubt. There is not sufficient intelligence to give it any safe answer. There are thus much delay and many mistakes in action because of the want of the knowledge which the axiom implies. Action under it is blind and illogical through all the degrees of ignorance.

The want of mobility among workmen is still more fatal to the universality of this axiom. What does it profit us to know the law of a perfect fluid if that with which we have to deal is an exceedingly imperfect one. Ignorance not only weakens the force of inducements that ought to prevail, it gives occasion to many other motives, more or less irrational, which ought not to prevail. Habit, customs, laws; local attachments, the want of the means immediately necessary for a change of occupation, present burdens that demand instant labor; senseless fears, the real difficulties that attend on a transfer to a new neighborhood, and on a change from one branch of labor to another; the immediate reduction of skill incident to a new occupation, the loss of the consideration and confidence already won; the inertia of ignorance, the thousand and one blind feelings that confine a man to a familiar path, the faults and vices that lead to the same result—these influences, and many more are present to make dull workmen an exceedingly refractory form of material. They obey no law perfectly, whether of wisdom or of folly. They mingle many impulses in a stupid, vicious, unfortunate result. In the degree in which

this axiom prevails it prepares the way for further and more complete power; but in the degree in which it fails in one instance, does it still further fail in other instances. Economic action, like heat, increases the fluidity of its material, while sluggishness congeals it more and more. Intelligence, economic virtue, social virtue, are all requisite in some good degree before the units of the social mass can feel and obey the forces expressed in the axiom, the largest return with the least labor. The facts often seem to present, in a very obvious way, an exactly opposite method, the least returns with the largest labor. Poor husbandry and inferior methods of all sorts are examples in point. A gang of a half dozen laborers calls for an overseer, chiefly to keep them at work. Yet the direct and obvious result is that his better paid labor is to act as a charge on their own inferior wages. All the clannish instincts of workmen, all their prejudice against new ways, lead to the same issue.

A good illustration of the friction which may accompany economic motion is found in the distribution of taxes. Economists point with satisfaction to the fact that taxes, laid on almost any form of possession or production, shortly spread through the community. Yet this movement may be a very slow, severe and unjust one. Some producers are likely to be ground into powder in the process. Till the price of the article taxed can be raised, and production is fitted to these new terms, each man must make what shift he can under the new burden laid upon him. The promised quiet of next year does not abate the strife of the current year.

When an exceedingly heavy tax was placed on spirits, the consumption of alcohol in the arts was reduced; not so the use of intoxicating drinks. This steadily increased. A blind appetite transferred an immense load of tax-

ation to the poor. This is the more plain when we contrast the duties on wines, the beverage of the rich, with the tax on spirits, the beverage of the poor.

Under the laws of Political Economy there should have been a reduction of consumption by a tax that multiplied the cost of spirits fivefold, and indirectly gave rise to much adulteration in them. An irrational appetite, however, prevented any corresponding response to these changed conditions, and an immense burden of taxation was thus rolled upon the poor.

Economic virtues, that is, economy, thrift, the power to endure a temporary strain, are absolutely necessary to give one that mastery of circumstances which enables him to enter at option on any new undertaking. Most workmen are like water that runs down hill: there is really but one channel open to them, and that the lowest. Simple dulness causes labor to gravitate to the most unproductive forms.

Bad habits, gross indulgences and vice have, in a yet higher degree, the same effect. The use of tobacco not only imposes a grave pecuniary burden, cutting one off from some share of the liberty of motion, the offence arising from it presents an obstacle in many directions to advancement, and helps, by an additional grossness of taste, dulness of perception and sluggishness of feeling, to render nugatory many of the more delicate incentives to progress. In short, this axiom can be fully operative among intelligent men only, since it appeals to intelligence; and among those of a justly sensitive and well-ordered organization, as the motives offered by it will fail to be felt by those strongly predisposed to some more blind and passionate mode of action. Men cannot, therefore, in the world as we find it, be left to this first principle of Economics as if it were automatic in its ope-

ration, and they all fully under it. It stands for a great and aidful force in progress, but one whose conditions of successful application must be provided for, and whose directions in use must be received from other and higher motives.

§ 3. The second principle, that the proper measure of values is prevalent desires, and that the only method of their determination is competition, is still farther from sufficiently covering and expounding the complex facts to which it pertains. What purpose is this competition expected to subserve? It is expected to provide an open market. A market implies an extended demand; and an open market one in which this demand is not modified otherwise than by economic causes. These economic causes which control prices are cost of production and supply and demand. The second of these is alone directly operative on prices. Cost of production and period of production are of no moment save as they effect supply and demand. These general statements sufficiently present the case for our immediate object. The part which competition plays is to bring the supply and the demand together in such amounts, and under such conditions, that they shall, as a broad and full expression of the facts, rule prices. It is not an economic maxim that an article is worth what it will bring, except as the conditions of exchange are such as to cover the naturally controlling facts in the case. If any price that can be obtained under any circumstances is an economically fit one, then competition has no function. Its function is to subject exchange to average terms, as opposed to exceptional ones; or, better, so to widen the field of exchange as to give the freest, and therefore the most favorable, play to all economic causes. This result

is expressed as an open market, a large and free arena of sales.

As sales are narrowed this advantage is lost. If there are only two persons to exchange services or products with each other, the sale is not only open to the effect of excessive or exceptional desires, the desires themselves may receive no just comparison. Reticence or deception may so disguise the desires, that the price shall not stand for the real relation of interests between the parties to the sale. Competition is looked to, both to exclude extraneous influences and also to include so large a circle of pertinent causes as to make each transaction typical of the economic facts involved. This statement of the case may seem vague, and yet it covers the fundamental conditions of proximately just exchanges. The price of any commodity in an open market defines property and the relations of justice in any given transaction.

How far does competition accomplish this purpose of furnishing to production fit, advantageous, just conditions of exchange? How far does it define and measure existing, natural forces? It is difficult, in the first place, to secure a market for many products and services in the sense of an extended opportunity of exchange. There may easily be too few to purchase a service, or too few to sell it; and so competition failing, regulation fails with it. The tides are in the ocean but do not reach the lakes and inland seas. Competition may not cover the case, nor provide any remedy when the want is most urgent. It may be said, it is true, that this fact itself of want of demand, or want of supply, is an economic one, and rightly rules prices. This assertion is true and untrue. This state of things does express the conditions which must govern present sales. But looked at as an unfortunate social fact, competition, alone, provides for it

no sufficient remedy. It simply emphasizes the evil. If laborers offer their services where there is no demand, or a very limited one, wages instantly fall or fail them altogether. Competition discloses the disaster but does not remove it. It is to be overcome largely by moral causes, and not purely economic ones. Intelligence, thrift, virtue, are now the measures of redress, and the appeal such facts present must search the community broadly above and below for these qualities. The appeal is to alter the economic conditions outside of simply economic forces.

Again, there must be, in order that competition may reach its object, some parity of conditions between the purchasers and sellers. If one class is pressed by urgent wants, and the other is at its ease, new factors enter the economic problem aside from those of supply and demand. Workmen can often live for a brief period only without labor, and employers are often comparatively independent in this respect. The balance of desires is greatly altered, much to the disadvantage of the laborer. Again it may be said that this state of things is a fit and potent factor in supply and demand, and again the same answer is applicable. The workman is to learn in the moral and social world those conditions of life which enable him to make, enter and use a market of services advantageous to himself. It is not a market alone that he needs, but a free market; and such a market is determined in force and form by the moral temper of those who enter it. If the sale of his services is a forced one it is because he has won no personal freedom. Economic power is inseparable from moral power; moral mastery means industrial mastery; and mastery, wide mastery, mastery for all, means, in economic expression, a free market. Competition can show what the facts are, what the market is; high intellectual and moral quality can

alone make the market what it ought to be,—an advantageous market, a free market. Industrial and moral motives concur in reaching this result, but neither is sufficient without the other.

Competition may also, as an equalizer of prices, be restrained by a natural unity of interests in the sellers or in the buyers. They may all belong to one class, and so have a unity of interests which limits competition. In the professions the competition between the members of the profession frequently lies in securing employment, and not in the price of services. By this competition the purchaser is not aided. The convenience of a fixed price in a few articles—as a loaf of bread, a cigar, a glass of beer, a ride in a street car—becomes such as to change the form of competition in much the same way.

A few producers in any department feel inevitably this unity of interest, and are more or less influenced by it. Concerted action is natural, almost inevitable with them, even when it is not expressed in definite terms of combination. Capitalists are thus on vantage ground in comparison with workmen. The smallness of their numbers, their interests, their social relations and habits, accustom them to a courtesy of concession which is equivalent to combination. Some employers regard it as a personal injury for another employer to offer *their* workmen, as they term them, higher wages; and most persons object to this method when applied to domestic servants. The combination of workmen, on the other hand, is always formal, partial, often difficult and burdensome, awkward in use and mistaken in method. A prejudice exists against these combinations, and a censure falls upon them which is not felt by capitalists either in their tacit or formal agreements. Yet the workmen can meet harsh conditions only by these objectionable forms of union.

The disasters of competition thus fall heavily in one direction and lightly in another.

Natural affiliation may easily pass into formal compact. A few persons may combine and so shut off the corrections of competition. This really occurs when the competitors are limited in number and united in interest. Railroads are constantly vacillating between violent competition and explicit agreement.

Still another limitation on competition as an equalizing force in exchange are the monopolies which arise by law or by natural advantages, or by the two combined. Railroads, by their first expense and by the fact of a franchise, have a more or less extended monopoly. They also give rise to many other monopolies, as telegraph companies, express companies, companies that furnish running stock and sleeping-cars, and other companies, as coal and oil companies, whose prosperity can be made dependent on railroads. They may also give in many departments of business, without being able to control them, unequal terms of transfer, and so alter the natural conditions of production. Monopoly still strikes heavy blows at competition by means of natural or of legal advantages.

A not less important restriction in competition is found in the fact that it is chiefly operative at midway points of prosperity, and that extreme poverty reaches quite below it and extreme wealth rises quite above it. All productive processes, as they increase in extent, increase the gains of purchase and sale, increase the economy of management, multiply the incidental accessories of manufacture and of commerce, and add greatly to the power of the producer to avail himself at once of unusual advantages of any kind, and to readily tide over any disaster. So great are this increased ease and profit of business in large undertakings, that the very wealthy

not only distance those of moderate wealth, they often render continued production on their part impossible. Wealth as wealth holds a natural monopoly under the laws of production themselves which no open market can overcome; nay, to which an open market has ministered. The power which falls to extreme wealth, and the weakness which falls to extreme poverty—the destruction of the poor is their poverty—arise within the laws of production, suspend the wholesome action of those laws, and are to be corrected, if corrected at all, outside of those laws. We must bring to production a temper higher than the competitive one if we wish to escape the extreme evils, the last miscarriage, of a commercial community.

It is perfectly plain that these considerations, which limit the value of competition as a social force without for a moment suspending it in its operation, affect the laborer unfavorably and the capitalist favorably; or, more justly, they oppress the poor man and aid the rich one. The advantages which wealth wins for itself become too great for the general well-being, too great for competition. The fundamental division, therefore, between the two extremes of society is not only not closed up in a simply industrial era, it is liable, as a last result, to be greatly widened and deepened. Simple industry no more gives a well organized society with harmony of interests than does simple strength. Indeed, wealth is another form of strength. The industrial type is no more complete within itself than is the military type.

§ 4. The third primary principle in Economics follows from the other two, and can have no more extension than is granted to them. If it is far from true that men are perfectly mobile under productive motives; if it is still farther from exact truth to affirm that competition

is a sufficient correction of the unfavorable and unequal terms of exchange that are constantly arising, it is also manifestly incorrect to affirm that each man may be left to look to and protect his own interests. Production in a high degree develops, especially in its later stages, the very unequal gifts and opportunities of men, and instead, therefore, of putting them on approximately common conditions of advantage, it rapidly broadens the divisions between classes and persons, and makes the acquisition of wealth more and more impossible to moderate and inferior ability in a depressed position. Nor is this the worse result. While the general social level is raised by production, the relative inequalities are often so increased as to make the interplay of moral sympathies in important respects more limited than before. It is not physical destitution which oppresses men so much as social inferiority, want of respect and of inducements to enterprise. Hence it happens that a great commercial city, in its luxury on the one hand and extreme poverty on the other, presents an ethical and social result hardly in advance of barbarous life. The growth of wealth has given wider play to selfish and vicious impulses, and these have consumed many of its gains.

While it remains true that each man's fortune is committed to himself, if we take this statement as the entire truth, and no longer regard ourselves as our brother's keeper, we shall find that economic laws are robbed of most of their beneficence by the spirit with which they are used. These laws, left to spread over the social field, soon result in that startling state of society referred to, in which luxury and selfishness, poverty and hate, present their most appalling and repulsive contrasts. Sympathy and aid are not only not to be suspended by production, production is to give fresh opportunities for

their exercise. The fact that each man should watch over his own, should stand on his own feet, and walk by his own strength, gives the proper form, the true motive, the real encouragement for help. Help that helps a man on his feet is at once the wisest, easiest and most needed of all aid.

Ethical laws do not suspend economic ones, nor can economic laws occupy any ground in social action to the exclusion of moral ones. The relation of the two is like that of mechanical and chemical laws to vital laws in the body of man. The chemistry of a living body is at once very like and very unlike that of inorganic material. The life avails itself of inferior terms, and makes them, one and all, constructive by putting them to the highest uses under its own control.

Economic laws give a middle and relatively neutral ground between vice and virtue. We fall below them, viciously, substituting deceit and violence for them; we rise above them virtuously, softening their action and readjusting their terms by good-will. Strict obedience to the laws of exchange is merely justice. We are open to complaint if we fail to do this; we have won no right to praise if we do it. Production, under its own laws, is a neutral position in the moral world; the negative and the positive lie on either hand. They are found in the disposition with which wealth is made and used. What we need to remember is, that the same set of facts may come under two or more forms of law. While the laws of exchange serve to define property, the uses of property lie under a higher law, a law that is present equally in the making and expending of money. The same impulses that prompt a kindly expenditure call for kindly production. Making and spending are inseparable processes in the continuous life of a good man.

Some distinguished economists make a grievous mistake at this very point. They are so jealous of the authority of the laws of Political Economy; they have seen so much evil arise from a supercilious neglect of them, that they are ready, in turn, to affirm their absolute and exclusive application within their own field. They forget that different laws rest on the same phenomena, and that the most pervasive and potent law in society is that of morality.

§ 5. We are to bear in mind that we are not discussing the doctrines of Economics as they lie coherently in their own field, we are emphasizing the fact that that field is not one set off to them for their exclusive use, but one reached by an analysis of incentives in a very complex form of life. Hence, in the real world, where all influences are in full play, these discarded forces must be restored, and the economic problem at any one time before us becomes a complex social one interlaced with custom, with civil, religious, and ethical factors.

The question in Economics most frequently and urgently treated in our time, the question to which all other social questions are leading, is the relation of labor and capital. Though labor and capital are united in fact in every variety of way and of degree, the two words have been seized on to express the poor and the rich, those economically feeble and those economically strong, and to draw attention to the division of interest that easily arises between them. The one class brings, for the most part, coarse, personal service, or service of a narrow form, to the market, and the other brings accumulated resources and varied productive powers. These powers are united with the possession or the use of capital. The real interest of the discussion lies in the social relation of the rich and the poor, the strong and the

weak, and the inquiry of profound import is, whether economic forces are so potent and self-sufficing as to give, in themselves, the conditions of a fortunate adjustment of interests between these two classes. The political economist is tempted by his partiality for his science to affirm the complete power of economic laws to order successfully their own result. The student of sociology, with a wider survey of the facts, is inclined to say, that while the incentives of exchange are always present, and at bottom wholesome in their influence, they do not suffice to order social life, or to carry society, even in its productive interests, steadily forward to its goal.

This diversity of opinion arises in part from the fact that the economist has in mind an ideal state of general well-ordered prosperity, and finds productive forces in such a state to be in harmonious action. He forgets that Political Economy discusses only the motives which urge men, in the most direct way, to pursue their own interests, and that healthy society is animated and aided by many more, and more gracious impulses than these. In health, the functions of the body fully and freely concur. Yet these functions, by excess or deficiency, may under their own laws easily give rise to disease. The simple desire to obtain the largest return with the least labor, and the competition which makes this desire effective, are both centred in self-interest, in personal well-being and not in general well-being; in the development of function, and not in the harmony of functions. Personal well-being, interpreted narrowly under a self-seeking temper, is not only not in harmony with general well-being, rendered broadly under a sympathetic temper, it is more or less in conflict with it. Economics alone, resting on its fundamental principles, cannot bridge this gulf between the one and the many, cannot fill to harmo-

nious fulness, and to overflow, the whole circle of life. This is a moral achievement, by which Economics, among other things, must profit. While it is true that lower laws are not abrogated by higher ones, are simply assigned a better and more proportionate service under them, it is equally true that lower laws cannot dispense with higher ones, or reach their own ends without them.

The interests of the employer and employee are, in one view of them, harmonious, and, in another view, equally real and often far more urgent, are opposed to each other. The products which are to be divided between capital and labor are to be augmented by the hearty concurrence of the two. Neither can reach its ends without the other, and neither perfectly without the cheerful aid of the other. The laborer owes the success of his labor to the presence of capital, and capital without labor is unproductive. These facts, however, are less on the surface of the relation, less forced on the consideration of men, than the equally certain fact, that the portion of gains in actual division which falls directly either to labor or capital is enlarged at the expense of the rival claimant. Trade is advantageous to both parties, yet this fact never hides the more cogent fact that any increase in the gains of either the seller or the buyer is at the expense of the other. So strong is this feeling, that laborers engaged in manufacture are brought with great difficulty to take the wider view. They are not willing to make in the present those sacrifices on which the full success of their efforts in the future depend. This circumstance has often proved very embarrassing even in coöperative establishments. It is unreasonable to expect that workmen, in dealing with employers, will allow their attention to be directed to the general gains of good work rather than to their own immediate share

in those gains; and the more so, as their only method of entering into this enlarged production is by the means of increased wages. As a matter of fact, then, the conflicting elements are in the foreground, in the relation of labor and capital, and the more remote ones which tend to harmony are easily lost in the background.

Moreover, it is not true that self-interest, narrowly rendered, is, between these two classes, one and the same thing. The maxim, Honesty is the best policy, is proximately true in a moral world; it might be profoundly untrue in a world like our own, but with less moral insight. It is not altogether true in this world as a principle of self-interest simply. A good deal of dishonesty prospers; it is not condemned by its pecuniary results merely. When dishonesty much exceeds current morality, moral forces may intervene and cut off the gains of simple sagacity. The proverb turns on this fact, that dishonesty is often a mistake, a mistake largely due to the moral forces at work in the world.

The capitalist acting from self-interest simply may well enough make terms with labor that are hard to bear. He is not waiting to find his advantage in the general prosperity, he is eagerly searching for it in rapid personal gains. Relative superiority is of more moment with him than absolute success. The purchasing power of what he possesses is measured more by its superiority to the possessions of those about him than by its actual amount.

In the urgent competition which is the all important factor in the relation of laborers to each other and to capitalists, capital has immense and increasing advantage. Numbers on the side of capital are much smaller, wants are much less urgent, advantages are rapidly accumulative. Any unfavorable results for labor are

quickly augmented and reach soon the point of absolute surrender. Intelligence, patience and courage, the necessary conditions of resistance, are daily lost. Social interest and influence more frequently take side with capital, and when a final adjustment is reached, after a bitter conflict, the advantage is sure to rest with capitalist, unless a quick intelligence, pervaded by moral feeling, is present among men. For this reason it is that we urge the topic, and insist that moral laws must be operative side by side with economic ones, and with mutual and extended modification.

§ 6. In pointing out explicitly this connection in sociology of economic laws with other laws, particularly those of morality, there are a few additional points which should be distinctly made.

(1.) Economic virtues, if we may so call them, are fundamental, and are closely dependent on the hard and fast conditions which characterize production simply. They are such qualities as industry, economy, foresight, patience. They turn on a long range of vision under objects earnestly pursued, and involve a true and stern adaptation of means to ends. They are intellectual virtues as well as moral ones, and are absolutely essential to a strong, independent life. They imply that clear and sufficient survey of the whole field which puts remote gains on a fair footing with immediate ones. Production is the natural school of these qualities. Its motives are distinct, strong, urgent, and demand these endowments. Ethical discipline, without industrial training to enlist the needed powers, would be the expenditure of military drill on few and mean troops. It is these personal resources of thrift and productive power that the moral law calls for, as its own efficient servants.

The ethical law does not create powers, it guides those already active.

There is another set of virtues that occupy ground that lies between Economics and Ethics,—such virtues as justice, honesty, truthfulness. The motives to these are double and concurrent, yet the concurrence can only be fully felt when the moral force is in fine vigor. Truthfulness, for example, is an ethical claim, and also one of interest in large and diversified transactions. As commerce gathers extension and multiplies details, the spirit of deceit which accompanies dicker passes away, and is replaced by truthfulness and so by confidence, at least within recognized limits. This trust, like well constructed highways, is essential to voluminous traffic. Poor roads may be endured when trade is light, but they must be improved with every step of extension. One may lie about trifles, but cannot conduct a large business with falsehood.

(2.) On this basis of midway virtues in which thrift and morality meet, there can be built those purely moral and spiritual virtues which owe their enforcement exclusively to the higher law. These gather about the law of love, and find their productive centre in the affections. Thus a second focus is established, and forces which have gone forth from self-interest are gathered in as affections, and incentives which proceed from the centre of love turn back as productive activities, along lines of interest. Both the occasion and the means of moral development are found in the unfolding of economic action. Poverty, all phases of inferiority, make an appeal of the most tangible order to good-will, and every measure of wealth furnishes the means by which it can be met. In proportion as industrial forces prevail, is there a corresponding extension of the moral law, and

corresponding urgency in its application. Economic forces are ready to grow into, and must grow into, ethical ones, even as a condition of sustaining their own highest activity. Large production must in any long period go hand-in-hand with relatively just and generous distribution. We cannot maintain production and reduce its economic motives. If we rely on competition for distribution, that competition can exist only between those of proximately equal advantages. All that morality, therefore, does wisely in aiding those who are falling behind, it does in favor of the most active obedience to the laws of production. If there is a growth from the bottom upward, there is also one from the top downward. The conditions of productive and ethical prosperity are the same. Powers among men and advantages in their exercise are very unequal. When circumstances favor an even start, the race cannot long be maintained, if it is not renewed by a perpetual renewal of that proximate equality on which it depends. It is the ethical feelings which find play and pleasure in a transfer of power from the rich to the poor, in bringing into line once more those who are to take part in a new contest. Economic forces, acting alone, destroy their own conditions; ethical forces alone can find no sufficient field. Both are renewed in the perpetual renewal of the other.

(3.) Growth is continuous. Each phase of it prepares the way for another; each equilibrium for a higher and more complex equilibrium. No ground can long be held without advancing beyond it. The balance achieved is a movable, a dynamical one, and must be renewed each instant by motion onward. A remedy for a social evil is found in progress only. The evil is developed by conditions overworn, and which must be replaced by higher

conditions. If the poor are getting too poor, and the rich too rich, for production, the remedy is not more production, but the presence of better impulses. If this demand is not met, inequality becomes excessive, repulsion dangerous, and disruption imminent. In the equalized and pulverized fragments a new seed-bed may be found for production. We may be very sure that no social question can ever be settled by a backward movement. If we take an earlier position, a second stage of growth will renew the later difficulties. Any communal holding of lands that has been left behind has been left behind because it checked some form of development, some line of activity. Each position can give a demand for the next, and if this demand is resisted, the equilibrium already attained is lost. Industrial forces in this country are making an urgent demand for higher moral development, and failing of it, they will fall into hopeless entanglements.

(4.) Social life is comprehensive, and in that measure complete. This is true of all life. Evolution in life is nothing more than an increase in comprehensiveness and completeness, nothing more than covering a larger field, and covering it with more rapid and perfect interactions. If, therefore, social life touches spiritual life it must more and more cover it, and be covered by it, must put it in more and more complete interplay with all below it. These are first principles. Whether we look at the law of evolution or at the intrinsic claim of righteousness, we must come to the same conclusion, that the centre of the movable equilibrium in society is increasingly ethical; that disorder on lower planes of action must be overcome by new order on this higher plane. Decay discloses failing strength on this side, but it opens the way for renewed strength on that side. We

may resist this correlation if we will, but if we admit higher spiritual powers at all, we must also admit that lower tendencies demand them, will fall into irremediable confusion without them. Thus only do we build from beneath to that which is above. The higher comes to us in completion of the lower. Along these lines upward lie those immense spaces in which the motion of our race can fully expend itself.

(5.) The discussion had as to the permanence of free institutions finds its solution here. When society has not reached that stage of moral development demanded by a free government, such a government must necessarily be very fluctuating. When it has reached this stage, the fact can hardly fail to express itself in this form of institutions. The United States is successful in its social and civil organization, first, because of the temper of its people, and second, because of its position. This safety and seclusion of position with it are a territorial accident, but a like safety must ultimately be won in the heart of Europe, by simple principles of justice, if society is to progress. And society is to progress. There is very narrow use of discussing any principles under any other idea. Progress is the very gist of the inquiry.

CHAPTER IV.

RELIGION.

§ 1. If we look upon religion as the various phases of opinion—with the feelings and actions incident to them—concerning the spiritual relations and government of human life that have pushed their way among men; if we look on development in religion as that increasing depth and comprehensiveness of statement which, gathering in the inner force of many beliefs, help to unite them and bear them onward, then there is no body of opinion more manifestly the product of growth, or which remains to be more modified by growth, than religion. While the centres of a system of faith have been taken and defined, most of the accumulated material of religion found in the minds and hearts of men still waits to be brought into conformity with them, and to be put in revolution around them. The grand movement productive of order is everywhere visible, but the order itself only appears here and there in an incipient form.

Nor is this view of the slow evolution or growth of religious truth essentially altered, if we hold fast to the introduction, from time to time, of supernatural revelation. Revealed truths, notwithstanding their origin, must take their place among the coherent convictions of men, must be understood and accepted by them. They are to be built into and with previous beliefs, and are themselves, in their progressive unfolding, to come under the laws of human thought and of social life. The on-

ward movement may be concentrated and accelerated by them, its fundamental character cannot be altered. This is involved in the facts to be dealt with.

If we regard revelation as not addressed to reason, as a series of absolute statements in no way accessible to human thought, and in no way dependent on the experience and history of men previous to their disclosure, then, indeed, the idea of growth is set aside, but so also is any rational service of faith, any connection of faith with the constitutional facts of the intellectual and social world and its laws of development. The whole problem we know as the religious problem, to wit, the action of the minds of men singly and collectively toward spiritual truth, remains to be worked out independently of what we choose to call revelation. Revelation thus becomes nothing more than an obstinate, disengaged, irreducible factor, alien to the world's experience, a bullet encysted in a living body. All revelation that reveals anything, that is addressed to the minds of men, must take its place among those many things in nature and history that everywhere disclose,—slowly, obscurely, and with innumerable mistakes, it may be, yet disclose,—spiritual relations. Revelation is only one fact concurrent with many other facts to be laid open by it and discussed with it.

The unbelief which has attended on the development of faith is not rightly to be regarded as an alien and conflicting term, it is rather a subordinate and concurrent one. Decomposition attends on all growth. It is one aspect of growth. Doubt, making way for inquiry, is a moving power in philosophy. There is no transition effected without it ; unbelief is the occasion of firmer and deeper belief. The history of the world everywhere verifies the assertion. The more active the unbelief, the

more rapid the transfers of faith. Our time is one of extended unbelief; it is also one of a surprising development of faith. The two movements meet each other on the same ground, and are incidents of one process. There is no instance in history in which extended unbelief has not given the conditions and causes of a decisive growth of faith. Christianity came in with, and partially by means of, such a period. So also the era of the Reformation was one of unusual scepticism. Buddhism, that in the outset involved a deep-seated denial of religious truth, shortly passed into a new phase of faith. Great apostles of unbelief, like Comte and Spencer, find an unsubstantial ghost of faith stalking in on them just as they seem about to close their long labors of denial. To stand by a simple negation requires more strength than men are capable of; or, rather, it is one of those exhaustive, unprofitable uses of strength which must soon come to an end. Unbelief needs no distinct treatment. It has no separate, productive tendencies. It arises from and returns to faith as a process in growth. Its presence simply indicates the vigor and rapidity of the changes going on. The chill of unbelief is no more alarming than that of suppuration.

No indebtedness of religion, outside its own immediate agencies, will at all equal that which it is incurring and is to incur to science. It has been borne upward with novel buoyancy and irresistible energy by this deep-seated spirit of inquiry. If to any man faith seems disappearing, it is because his attention is directed to its old position, and not to its new and higher one; because he sees the empty chrysalis and not the living thing which is leaving it.

§ 2. Religion is in the individual, is in his attitude toward a spiritual world—an attitude which involves

opinion, feeling, action. The concurrence of many in one attitude constitutes a particular faith. As the data of faith, like those of science, are essentially the same for the human race, they give rise, as they are unfolded in different degrees and in different forms, to a history of faith, a convergence of opinion, a philosophy of belief. This is the development of the collective convictions of men touching the spiritual world, as science is the collective convictions of men touching the physical world.

It is easy, historically and rationally, to indicate the lines along which religious belief has been enlarged, corrected, deepened and defined. The direction of this movement can hardly be mistaken. It is first toward the unity of God. This is opposed to polytheism, the existence of many spiritual beings of diverse characters, great powers and relative independence; and to dualism, the existence of two principles or two beings or two forms of being, the one good, the other bad, dividing the world between them. It is also opposed to any hierarchy in the kingdom of Heaven by which saints, eminent servants of God, surround his throne and mediate between him and ordinary mortals. The one God stands out of all relation of gradation with any finite form of life, and stands in one and the same relation of a supreme presence to every rational spirit.

Not only are such religions as those of Greece and Rome and Persia left behind by this movement of thought, the conception of a personal devil, the centre of an opposed hierarchy of evil spirits in open conflict with God, is equally excluded. Each soul works out its own spiritual life in direct and uninterrupted communion with truth, with God. The sweeping away of all obstructing, intermeddling and intermediate agencies from human vision, and the returning of the mind to its direct de-

pendencies on God as the grand, inclusive centre of faith and life, is the great issue toward which, from the beginning, religious thought has been hastening. The perversions of the revelation in Christ have adopted this form—a separation of the soul from God, some method of intermediate dependence on him. They have not grasped the one truth, we live and move and have our being in God.

Philosophy equally with religion has given itself, especially in more recent times, to meeting this demand for unity. Monism—unity of substance, or unity of movement—has given form to speculation. Philosophy has struggled against the dualism thought to belong to mind and matter recognized as distinct entities, and has striven for an evolution from a primordial term which should involve them both. Matter and mind have often offered themselves to human thought—as to Plato—not only as radically distinct, but as more or less conflicting terms. It has been hard to unite the two in origin, and to harmonize them in action. This has been the problem of philosophy which has kept pace with the kindred problem of religion, the unity of God, a unity so complete as to include all other forms of rational life, as drops of water are gathered and held in the ocean.

§ 3. The second product of enlarging faith, more and more conscious of its true grounds, is the personality of God. This result of religious thought, as well as those which remain to be mentioned, are concurrent with the unity of God, and come forward with it. By personality we understand simply rationality, and by rationality those powers of mind whose essential form-element is consciousness, and whose activity includes all degrees and all varieties of comprehension, knowledge. Reason, knowledge, righteousness admit, under terms of human experience—which we regard in its fundamental character-

istics as an absolute or universal experience—of no real meaning aside from consciousness. If they are affirmed as existing aside from consciousness they find for the human mind no interpreting fact whatever, and the symbol being lost under which experience writes down its predications, the statements themselves as intelligible propositions disappear with them. Nothing can be more alien to human experience than reason which is not cognizant of its own processes and conclusions, since reason lies in this very cognition ; than knowledge which is not known to itself, since this transparency within itself is its essential idea. While the terms of experience do not measure knowledge, they do furnish its necessary forms of expression. The words of a language, as terms of thought, have no fast limits, yet they remain none the less the sole media of consideration and of statement.

So closely is the mind of man in its average activity bound to this idea of personality that there is no religion, as an extended faith among men, without it. It may be obscured and modified, but is never wholly repressed. If it disappears with the few it is likely to reappear in a more prolific form with the many. To lack the notion of personal, spiritual agents is, to the common mind, to lack faith. There may be a speculative term in religion, as in the religion of China as derived from Confucius, which sets aside personality in the controlling movement of the universe, but a dogma of faith of this order will remain a dead factor in the popular mind, provocative only of unguided superstitions. In narrowing down thought it may exclude other conceptions, but it cannot have the popular force of a system of faith.

The ultimate principle of all existence is offered in Confucianism as an impersonal element. Negative and undefined conceptions of the ultimate necessarily tend to

the impersonal, as do all conceptions of fixed, necessary laws of development. Personality is a very definite idea, and carries with it conscious, free movement. The idea of a personal God, so native to the human mind, returns again and again to the religion of China, in this phase of it, as the real force of this Ultimate Principle. In proportion as the personality of God becomes distinct does it lift the individual, restrain the tyranny of social and religious customs, and push aside superstitions; and in the degree in which this supreme conception, freeing, filling and guiding the thoughts, is wanting, do narrow customs and sporadic superstitions come in to take its place. Thus in China the tyranny of custom is extreme, and ancestral worship is the popular form of piety. The mind gets no rebound against the urgent force of things just at hand from any scope of thought in the spiritual world. A fatalistic movement of development, as an explanatory idea, shuts up society to existing facts. There is little pleasure and no power in following such a development backward or forward; the development itself is crudely and wrongly conceived, and begets nothing but passivity and despair. The individual and society are left under the unrelaxed grip of the things pressing close and hard upon them. The speculative mind remains torpid under the pressure of fatalism, and the popular mind restores, as best it can, personality to the agencies nearest it. Empiricism sweeps round into credulity and stolidity.

Mr. Spencer, in his evolution of the religious idea and of religious institutions, starts the movement in an obscure recognition by men of their own spiritual nature. Doubtless, in our own spiritual powers lies the key of all religious thought. The revelation of spiritual elements in ourselves, and their painful separation from physical

causes, lead to the religious interpretation and rendering of the world. The great darkness and the whimsical errors of this method of thought, in its most remote and weakest forms, no more discredit the process as a whole than do any intellectual and social failures disprove the later progress which springs from them. Failure is the universal road to success. This failure means only the narrow nature of the faculties we bring to our great task.

The great weakness of the empirical school, discussing the origin of religion under the notion of evolution, is the supposition that barbarous races now stand for man primeval. The error of this conclusion has been clearly exposed by the Duke of Argyll in his "Unity of Nature." These tribes are as far off from the beginning as the most cultivated races. They, as well as these, have undergone their evolution, only it has been one of degradation. Historically, we find an early and profound tendency, all along the lines of progress, to recognize one God. We have not interested ourselves in tracing the stages of decay in this idea, but the process, and that only, of true evolution. Everything tends to show that that process began in a power to lay hold of and use this fundamental idea—a spiritual world. Indeed, as this is the germ of the whole movement, there can be no evolution without it. All previous periods necessarily stand for nothing, as far as religion is concerned, till the sense of spiritual existence is present. Once present, this conviction takes the range and defines the range of the religious world.

A pantheistic faith is the product of speculative thought, and, so far as it enters any religion, remains in it as an esoteric doctrine. Its negative results may be very great, first, in leaving the unoccupied popular mind,

in satisfaction of its own wants, to cover over the field of religious thought with a fantastic polytheism, as in India; and, second, in separating higher religious thought from the popular faith, from sympathy with it or control over it. Thus, as in Egypt, luxuriant superstition may overgrow and smother a religion relatively simple and just in its best forms. Indeed, theism has at times been too pure and remote an idea, as in Judaism, to control the general mind in search of conceptions close at hand and highly colored. Mohammedanism, uniting fatalism with theism, has turned the latter into a dead core of doctrine, whose living surface is made up of gross, sensual and personal incentives. Any pantheistic element like this of fatalism at once reduces and deadens religious thought, and leaves the ground of daily action to be taken possession of in squatter sovereignty, by the floating tendencies of the place and time.

Personality and liberty are inseparable in true theism. Personality lies in reason, moving consciously under its own law toward its own ends; and this also is liberty. The thinking powers and the free powers are the same. The mind is free, through and through, and not in one action only, volition. If, therefore, reason is ultimate, the inner force of all development, then also is this development one before which, and with which, runs the eye of Reason. Only as personality and freedom are thoroughly interlocked as one and the same thing—as Reason, self-comprehending, self-guided and self-sustained,—have we in the universe broad, clear light, which excludes all the fantastic creations of darkness, and, at the same time, makes the mind of each man a full, interested and personal partaker in these spiritual terms of life which enclose him. As we lose freedom in the cosmos we lose personality; and as we lose personality our

own lives shrink up, and draw together, and the influences which still touch them take on a superstitious form. Under fatalism, the only refuge from superstition is cold thought or one or other of the inconsistencies of speculation. With the first the popular mind has no sympathy, and of the second it is incapable.

Unity and personality are inseparable. The only unity is that of thought, and thought in its extension is, and must be, increasingly one. This unity is its supreme bent. Reason only discloses itself in reasons by a universal reconciliation of all its material.

§ 4. The third gain in the onward theistic movement of the human mind is that of complete, universal, infinite wisdom. Wisdom and personality, as explanatory ideas, grow together. The wise combination implies wisdom in the ultimate agent, and wisdom, as a constructive process of thought, is complete within itself. Wisdom is the germinal centre and power of personality. Wisdom that is not self-directed is a fragmentary and incongruous idea; as incongruous as light without disclosure, or noise without sound. Personality and wisdom are lost together in pantheism. The agent is identified with the activity; wisdom slips into, and is swallowed up in, its products. Phenomena extinguish the underlying noumena, the essential being for which they must always stand in any rational process. When a religion sinks on its speculative side into pantheism, as did Brahmanism, it collapses into idolatry on its popular side. The popular mind, not sufficiently nourished by a pantheism from which the empirical term of wisdom has been eliminated, immediately gains new centres of thought and feeling by a polytheistic hierarchy. While speculation recedes from theism in one direction, the popular mind retires in the opposite direction, each in satisfaction of a distinct tendency.

The only idea that can bring the two moieties together is that of Supreme Wisdom.

The wisdom of God, which is the effulgence and fulness of his personality, is helped as a belief by the progress of knowledge. Science plants the terms of order deeper and deeper in matter, and the conviction arises and is confirmed that there are in the universe, as a constructive product, no unoccupied spaces; that order, combination, adjustment are universal and complete. Faith thus receives a double impulse, first, from the coherence within itself of the rational idea of God, under which, as ultimate, he is also regarded as infinite, all comprehensive; and second, from the tendency of induction, under a growing experience, to affirm that that order which everywhere meets us is omnipresent. All movements of thought concur in bringing the mind to rest in the notion of Infinite Wisdom, and the facts which remain as yet unreconciled with it become nothing more than the outstanding limits of knowledge. That conception which gives completion to the rational movement is no less essential to empirical inquiry than to abstract thought. Indeed, it is the unity of these two, the speculative and the practical, in one conclusion, that alone satisfies the mind.

§ 5. With wisdom follows goodness, as a divine constituent. As soon as wisdom passes into the ethical region, and claims it also as wholly its own, complete goodness must be recognized as the accompaniment of complete wisdom. Goodness expresses obedience to the moral law, the law of the spiritual realm, and the wisdom which discloses the law discloses all the terms and incentives of obedience. Complete wisdom without complete goodness is an incongruous idea, as they both apply in the spiritual world to exactly the same relations, and are

simply intellectual and emotional sides of the same activity. The intellectual and emotional elements must concur in spiritual life. Not to feel is not to understand, and not to understand is not to feel. Life is one.

If the conception of God falls off from instant, active, flexible wisdom, the government of God will fall off from complete grace. Thus in Mohammedanism the wisdom of God being restricted to fixed, fatalistic laws, the grace of God is made consistent with arbitrary inclusions and exclusions. The love of Christ is the outgrowth of the present, perfect, spiritual—that is, flexible—wisdom of God. God can love and be moved by his love, and finds no obstacle to his love.

The ethical realm is the last one to be thoroughly occupied by human thought, and so its facts remain the longest unharmonized. The partially apprehended facts of our moral life linger on unreconciled with the grace of God. The insight of devout minds, the experience of devout lives, sociology, human experience in its opening terms, unite to carry our faith over to the dogma of complete goodness. Faith here as elsewhere is a kind of spiritual revelation. From many examples of divine favor, from many wiser interpretations of things in themselves not manifestly merciful, we pass on to the broad, all-inclusive induction of complete goodness. Thus in science we infer from a comparatively small portion of the great aggregate of facts the universality of law. Faith and science have one basis, a belief in the infinite extension of constructive principles.

§ 6. The wisdom and grace of God are the form and substance of His personality, and in their inward harmony and outward force is found the harmony of the universe. This unity must complete itself in the farther conception of the omnipresence of God. Unity must carry with it

omniscience, omnipotence, summed up in omnipresence. Any deficiency in this attribute would at once endanger the unity. Omnipresence is the form which the conception slowly takes. It is the fulness of omniscience and omnipotence, and this presence becomes increasingly spiritual, a Holy Spirit.

As long as matter is thought of as relatively inert material to be wrought into form by an external agent, the conception of omnipresence is peculiarly difficult. Matter itself, as a lump unleavened by reason, seems to exclude reason, and there are no other modes of action which express omnipresence, and bear witness to it. A first result of this idea and doctrine is very likely to be pantheism. Matter itself, the all in all, is God. In no other way is his complete presence recognized. But this view is only one of those ways in which the mind, for a brief period, loses in one direction one of those dual terms which condition successful thought. Phenomena can only be understood with and by noumena, effects through and under causes, actions in and with agents, the sensible universe as the concomitant and expression of Creative Intelligence. Omit one of these terms, and thought is immediately crippled. The final issue of every such effort is phenomenalism, nihilism, the acceptance of impressions stripped of their significant force, their interpreting ideas and conditions. The practical result is that the great mass of mind, the popular mind, refuses to follow the movement, and returns to grope on its way darkly in the old paths of thought.

When matter is seen to be not inert but active, not a permanent but an ever changing expression of power; that every form of matter is what it is by virtue of shifting relations to other forms of matter of which it is in constant recognition; when matter is known as fixed in

its laws and circuits of movement, but with no fixedness of states and properties, no inertness or deadness of being, then the omnipresence of God becomes, as it were, a necessity of thought. Reason permeates matter in every portion of it. There is no property, action, relation, which is not thoroughly rational, thoroughly at one with the great aggregate which constitutes the universe, and which is transparent to thought everywhere. Even more than this, as every atom of matter stands, as it were, in perceptive relation to every other atom, putting itself forth at once in fitting activity toward it, and shifting its own action under it, we are compelled to include the universe in one all-embracing consciousness. In this abide its unity and its life. Thus in so simple a force as gravitation, the amount and relative position of every special part of the material world are known to every other part, and all parts embrace each other with ever changing, but undying, energy.

Science has greatly strengthened this demand for the omnipresence of reason, and we must now admit it, or allow the most significant fact of the universe, the fact that it is a universe, to pass by as unexplained. Perfect reason is the demand of reason. Reason extends its conquest from point to point, over field after field, and makes each new acquisition an occasion for the next. Science sustains this inner coherence and irrepressible extension of reason, and the conception which completes it is that of Omnipresent Reason. Wherever matter is there also is mind, as the underlying ground of its orderly action—we may as well say of its action, as there is no action in it which is not orderly. We thus learn empirically as well as rationally to identify in mind these two terms, action and order, each co-extensive with the other. We surmount the stumbling-block of our own

experience, in which we encounter so much action not our own, and out of immediate relation to our purposes, and learn at length to find this living term of rational energy occupying the whole universe. Material existence which spreads through the universe, which constitutes its most obtrusive term, which gives the condition of all life, is itself omnipresent reason, rising in the light, into its own light, and into light for all finite intelligence. Where matter is there must be mind, for matter is energy unfolding itself in a circuit of fixed relations suitable to the ministrations of mind; is thought, wisdom, written at full.

§ 7. The supernatural has been a constant, and in some of its forms a greatly exaggerated, term in religion. It has been near the eye, and has concealed much larger things remote from the eye. It has called for continual reduction under a deeper, wider perspective The popular mind, and still more the popular heart, have held fast this element. We not only have great faith in the ever returning convictions of the popular mind and heart, we regard them as laying down the trend of human thought, as giving the very facts philosophy is to explain, as offering the substance of knowledge, brought to the surface in the process of spiritual evolution. He who strives to overlook them, deny them, or reverse them, is struggling away from the truly cosmic forces which have unfolded them; is, having reached the air and the light, like a bewildered diver, plunging again into the fatal depths of the sea.

The reason why the supernatural has suffered exaggeration and distention in religion is plain. It is because the natural and the supernatural have not been rightly conceived, or sharply separated; and because the personal element, which is the centre of religious thought, has

been closely associated with an arbitrary form of the supernatural. As long as matter is looked on as in a degree alien to God, the laws which rule in it will be conceived as more or less antagonistic to his immediate pleasure; and the presence of God, as the ruling idea in religion, will declare itself in a supernatural made up of miracles, in bending a stubborn, resistful natural to his will.

When, however, the natural is justly regarded as the fulness of reason, as equally near to God as the supernatural, the balance between the two will be altered, and religion will accept them both as right and left hand movements of the same process, as mind fully declared and mind now declaring itself. A philosophy that accepts the essential spontaneity of mind, that conceives reason as ordering its action in its own light, as defining for itself its object, truth, and the means by which it is to be reached; a philosophy that believes the intellectual universe, the universe, to be an ever renewed, genetic process immediately ordered and sustained within itself by a living Presence, will recognize the supernatural as an essential element in life as well as in religion, a part of the cosmic creation going on about us. To return to the figure already used, the natural is only the full-faced letters in which the supernatural has been written out. The omnipresent Reason is always, like the rapid hand of a writer, moving at the head of these cosmic sentences, and flashing, by additional words, new light through their entire length.

It may be easily said that this is figure and fancy, and the divine hand, if such it be, writes fixedly as under the dictation of nature; and that what it writes falls back into nature, a part of her eternal book. How exactly, then, is this process of cosmic movement to be rationally

conceived? Rationally, we say, for all interpretation is that of reason, and what we think we know about nature is only what our own nature finds coherent in it. The meaning we read into it, or read out of it, is the meaning in our own minds. What then is the deepest, most rational meaning in the universe? When we translate the universe, as we translate a Shakespearean drama, into sense, what is that sense, that ultimate thought of reason which stands with us, at least for the time being, for the Divine Reason?

We may, impressed by the steadfastness of physical laws, allow them to become for us the full type of the Divine Reason. We may regard the entire inflow of the spiritual world as fixed in its directions and settled in its conditions, as we have found, or think we have found, the physical world to be. Even then we should remember that this conviction of the unchangeableness of law is simply one of reason. It is on grounds of reason that we assert it, not of knowledge. Not one event in ten thousand of those we include under physical laws is known by us to have conformed to those laws, and the conformity we have observed is rarely complete, as far as observation goes. We infer universal obedience from partial obedience, and simply because our own reason is best met by this inference. The dogma of universal law itself rests for authority on the reason.

Let us then the more boldly consider the rational completeness of this view by which we regard all the action of the Divine Mind as embraced under laws of the fixed character of those of the physical world. In the first place, we misconceive these physical laws themselves, when we do not allow them to take on and take up new results. The universe has been built up to its present beauty by manifest increments. Of these incre-

ments life in all its varieties is the best example. If we undertake to say that the present life of our globe was included in the nebulous state of the solar system, we put our opinions totally beyond any confirmation of experience, or intrinsic probability, or known possibility. Physical laws themselves are apparently handled in reference to supernatural intervention. Neither life nor any new form of life is explained by the terms which go before it. To deny additions is to judge the universe by narrow spaces and periods, and not by comprehensive ones; by obscure processes, and not by plain results.

If there is any one principle which we are learning more and more to accept, it is that every moment in time stands for every other moment in the general character of the forces at work and in the methods employed. It is under this idea that geology, as a science, has reached its present proportions. But the conception of first terms and fixed laws embracing all subsequent events, is as completely at war with this principle as any idea well could be. At some one time, wholly distinct from all other times, reason, creative reason, was prevalent; but since then all its powers have been in suspension. We should rather regard every moment as creative, and no moment as pre-eminently and exclusively so. The Divine Reason, in the full circle of its activities and susceptibilities, is now as hitherto, in the present as in the past, borne on by the full flood of being. To condition the present to a remote past, to bind it over under a finished creation to issues long since made up, is to lose the omnipresence of God in time, and so to lose the universality of Reason, its immediate and self-centred life.

While reason is perfectly fixed, it is also infinitely flexible. It encloses within itself both of these qualities. A change without occasion is no more unreasonable than a

failure to change on occasion. The wants of men, the wishes of men, the personal elements in them, demand flexibility in the Divine Mind and mobility in the Divine Heart. There could be in the moral, spiritual world no greater incongruity, no more unfitting relation, than a sensitive soul, like man's, enclosed in walls of adamant, and bound down under chains of iron. This is to be buried alive. As personal and free, he must be wrapped about by personality and freedom. The arms of the mother are the only suitable enclosure of the nestling child; the arms of God, of the sons of God.

To bind over mind to matter, the emotional and flexible in spiritual life to that which simply is, is to bow superior issues to inferior ones; is to raise a frame-work and provide no vine to cover it with leaf and flower; is to build a home with no household, no domestic art, no loving experiences, no upward bending impulses.

If we make mind, moving in its own light toward its own ends, creative and free,—and if we do not, thought drops dead like a bird shot in mid-air—then the world must stand in sympathy with it, and must contain a free as well as a necessary, a supernatural as well as a natural, element. While the natural is fixed, the supernatural is flexible under the instant pressure of throbbing, spiritual life. No life shaping itself within itself under the true toward the good, can fail to wish and to demand that the universe shall be in sympathy with this movement, and subject to the progressive changes involved in it. This is harmony; and a Heart of Reason that did not feel the omnipresent, eternal movements of reason and righteousness in all its offspring would thereby deny its own existence.

If, thus, we conceive the universe as each instant the present term of the Divine activity, the immediate ful-

ness of the Divine reason and love, taking form and force afresh from the Divine life, we can easily retain in it, nay, we must retain in it, both the fixed and the flexible, the coherence and the spontaneity of reason in its perpetual unfolding. Prayer becomes as just and as efficacious as it is inevitable. Prayer gives to Reason new terms, and is followed by new adjustments.

The popular mind holds fast the truth, not by virtue of superior insight, but by virtue of lying more passively on the stream of forces actually flowing on in the world. These instant forces are felt, not smothered; obeyed, not reasoned out of existence; and so the inner, actual life takes on new varieties, and slowly passes up into higher and holier adjustments. There may be a phase of vegetation in the process, but it is spiritual vegetation after all; it is not a premature running to seed in fruitless speculation.

As rightly conceived, the natural and the supernatural flow into each other and out of each other as easily and as harmoniously as do the living processes, the chemical processes, the mechanical processes, in the body of man; or as do the voluntary and the automatic life in his hourly action. Constructed as we are of so many elements and under so many laws, we ought to feel it possible that the higher should lift the lower into its own service; that they should live together without conflict, and move together without obstruction, and thrive together on terms which underlie and support human wisdom and virtue.

Though the supernatural has often overgrown itself, and smothered its own fruit like a rampant vine, it always has been and always will be the very breath of life in religion. We live and move and have our being in God, not as Creator in ages gone by, but as the im-

mediate force and fulness of all events. Law is the present will of God, and so also are all enlargements beyond law The measured throb of the pulse and its passionate beating are one and the same process. If this conception of the Divine Presence meets the reason most fully, then it is the most valid, the most certain conception. There is no other test of validity.

§ 8. A belief in the future life of man grows immediately out of a belief in his present spiritual existence. The spiritual idea which most directly impresses itself on the minds of men is that of their own supersensible being. Hence the invisible world that in rude periods and races crowds close about the thoughts of men is that of departed friends and dead enemies. Immortality is not always associated with life after death. The conception is too fatiguing, the stretch of thought too great, the interests too remote; while the primary idea, that of life following immediately upon death, is vividly present. Then spiritual conceptions are not, of course, consistently held, much less clearly expressed. The expression is more or less contradictory. No coherent method of putting supersensible impressions is open to the mind. Physical images and spiritual ideas are hopelessly commingled. But we are not to infer from the physical factors admitted into the conception of a life prolonged beyond the grave that those who so speak and act are bound in thought to the very terms under which they have framed their conduct. Such a conclusion is always inadmissible in spiritual truths. The mind must do the best it can. It must get footing in speech, and, in accomplishing this, will encounter many inconsistencies only partly felt by it, and partly overcome. In all these cases, the safer interpretation is that the higher element is present and not yet able to exclude the lower one,

than that the lower one measures the higher one. The two exist together in a confused way, the fetich and the agency it represents, the idol and the deity it stands for. When the implements and arms of a dead chieftain are sent after him by being burned, there are an affirmation and its contradiction in the same act. A life like his former one is asserted, and yet the destruction of these possessions distinctly rejects the notion that this likeness is complete. When food is provided for the dead, the continuity of experience here and hereafter is maintained ; but when the faith in the offering remains the same, though the dead never return to accept it, we see at once that the mind of the giver is not dealing with ordinary conceptions under the usual coherence of thought. The same conclusions are not drawn as would be drawn from the actions of living men. These inconsistencies arise from the inability of the mind to clear itself, to reach at a bound adequate conceptions and expressions of a supersensible fact; and they do not carry with them either the dulness or the contradiction that lie on the face of them.

It is plain, I think, that we are not to regard the human mind as slowly gaining a new idea in this process of interpretation, but as coming to the full possession of one that always haunts it as a term in its inevitable insights. The movement is one in which old thoughts are releasing themselves and confusion is cleared away ; not one in which a modicum of knowledge is being made up by the slow additions of experience. Sensuous experience contradicts from the very outset all the physical agencies and images involved in the evolution of spiritual ideas. A sober rendering of experience, without fear and without hope, with no prepossessions, would steadily dispel any illusions of another life. Indeed,

there is nothing in experience ever to have given rise to them. Dreams, no more than waking reveries, imply a double self. This double being, soul and body, is an explanatory doctrine applicable to all our hours, waking and sleeping. That the mind grows in its spiritual convictions in spite of the constant contradiction of the senses, shows that these convictions have never arisen from the senses.

If the idea of our own spiritual life first gives to us the notion of a spiritual world, well filled with life, it therein prepares the way at once for polytheism, and by the development of polytheism, for theism. The doctrine of a future life passes by a like process into that of immortality. These two, theism and immortality, are inseparably associated. We lay hold of a large invisible life through our own invisible life, and when this all-embracing life has become for us truly Divine, we have begun fully to share it. We believe in immortality because we believe in God. It is the coherence of reason, the continuity of wisdom, the constancy of grace, that assure us of immortality. In sharing even for an instant the Divine Life, we come to possess it, and to be possessed of it. We live and move and have our being in God, and this is immortality.

§ 9. We have sufficiently traced the dependence of fundamental religious ideas to see that many stages and long stretches of development belong to them. Indeed, how could it be otherwise? This continuous unfolding is of the very essence of reason. One characteristic is ever the same: an obscure insight, one not yet complete in its terms or its limits, goes before the rational movement, and gives it direction and safety. It is in spiritual as in physical things, the circle of distinct vision is in-

cluded in a much larger one of indistinct vision. Sight runs before knowledge.

This primary insight, which we have insisted on in individual development, belongs equally to collective progress. The movement in religious thought is usually one of rapid ascension under the penetrative force of one or more minds. A Zoroaster or a Plato lifts a race to a new elevation, from which it slowly declines. All conditions—conditions deeply hidden, it is true, in the popular mind—favoring the prophet of truth being present, the minds of men become buoyant, rapidly rise into new altitudes and turn into immediate momentum the slow gains of past experience. This impulse expended, the inertia of mind and the reaction of opposed tendencies show themselves, the conflicting forces of a sensuous experience re-assert themselves, and society sinks again earthward under this steady gravitation.

If we look over the world as we now find it, we are by no means at liberty to affirm or to think that the lowest races, those most destitute of spiritual ideas, necessarily stand for the earliest terms in religious development. They may equally well, and often do, stand for the continuous defeat, degradation and degeneration which attend on the beating back of spiritual tendencies. No nation moves forward in civilization without leaving behind a large percentage of citizens who lose rather than gain by the general advance. There is much relatively dead material, which is cast out by growth, and it is the lowest classes in the most enlightened nations that touch bottom in human degeneracy. In the joint progress of nations the same thing is true. The strength of the strong is achieved, in part at least, at the cost of the greater weakness of the weak. Decline accelerates itself; and those tribes who have wandered into remote and

isolated and sterile portions of the earth, or who have been driven thither, suffer constant decay in the inner tone and outer form of life.

As far as the principles involved in evolution are concerned, it is safer to judge all times by historical times than it is to judge them by the comparative data offered by existing facts. In the one case, we have a longitudinal section, a profile projection of the actual path of growth. If it is a brief one, it is a comparatively clear one, and may help us to the fundamental methods involved in the movement. Any line, on the other hand, drawn in the present between points of light and points of darkness, any linear arrangement of the low and the high in existing civilization, has never been a portion of the way actually travelled by mankind in its spiritual migrations, and may involve other principles than those of growth. The inner laws of the upward movement in religious thought are not to be settled by comparative theology, based on the mixed, remote, complicated facts of the present hour. The time, place and circumstances of the impact of truth on the minds of men are of quite as much moment as is the logical coherence of truth. We can no more draw a line in the experience of the race from its lowest to its highest attainments in any department of inquiry, and compel events historically to accept in order each successive stage, than we can pass from the lowest point on the earth's surface to the highest with steady ascent; or affirm that the lower and the higher elevations have any fixed relations to each other in time. Mountain ranges reach their culmination by successive ridges and valleys, variously placed and shaped at different periods; and human thought touches its highest attainments as the fruit of many efforts, near and remote.

§ 10. In every form of faith there has always been a vast difference between the religion of a few devout, penetrative minds and the religion of the many. These few have been the soul of faith, though oftentimes smothered under doctrines and rites and customs as by gross physical members. Tracing religious development historically, we find that all great faiths have contained a primitive and obscure element of theism, which animated them in their early history, and has been re-animated here and there in their progress. As at any one time the better thoughts of the more devout minds are concealed by popular superstitions, so the higher truths which have given a religion vigor in its years of growth are covered up and lost in its later years of decay. The religions of Egypt, of China and of Greece, Brahmanism, and even the beliefs of comparatively barbarous nations, show a primitive theism, usually hidden under idolatry, but occasionally shining out in prophetic minds.

The powers of insight act in men collectively much as they do in individuals. The intuition is a remote light appearing through mist. It gives direction, but not full revelation. The light itself must, by its increased intensity under a prolonged experience, disperse the mist, disclose boundaries, and furnish definition within them. Interpretation takes place, and can only take place, under appropriate ideas; and this interpretation must take place many times and from many positions before the facts subject to it will be well outlined. The intuition is applicable to the data, but the data by no means disclose instantly their order under it. This disclosure is the result of inquiry, and may be lost or gained according to the diligence exercised. The obscure light of ideas waiting explicit and complete application, goes before every process of comprehension; every popu-

lar movement is indebted to the penetration of a few leaders for this light of ideas.

Religions, because they are but phases of insight and faith, are open to decay, and, after the earlier stages of growth, tend easily to deterioration. They exhaust themselves by using up the intellectual material with which the movement originated. A faith owes its force to certain dominant ideas, partly active through their own strength, and partly in antagonism to other ideas. Thus Buddhism arose as a triumph of humane and sympathetic impulses over the cruel, divisive, ascetic tendencies of Brahmanism. As the spirit of the latter grew directly from a religious creed, the former rejected not only this form of faith, but all faith in supernatural beings.

Every creed is an effort to set limits to faith, and in proportion as a creed is firmly developed, does it exclude what it ought not and include what it ought not. Thought and feeling are very active in its formation, and increasingly inactive after its completion. Thus the intellectual and spiritual force of a religion is liable to be lost by the very process which establishes and defines it. It is the development, the growth of truth, and this only, which can permanently fill and satisfy the mind and heart. A religion must, therefore, constantly stretch above and beyond itself, or there comes a time in which it can no longer meet the thoughts of men.

Rites, also, are made more rigid, mechanical and burdensome by organization, ever pushing one or another point farther, ever supporting what has been won by a fresh effort. Their vigor and usefulness are slowly exhausted, and though they may suffice for a long time to hold fast the indolent minds of men, service under them becomes a dull and heavy bondage. The bigot, the nar-

row adherent of authority, in making faith more rigid, lays it open more completely to ultimate rejection. Even in Protestant Churches, with which organization is usually at its lowest terms, the tendency to rigidity is proportionate to the explicitness of the creed and the strength of the ecclesiastical body. No thoughtful person can be present in a large, deliberative, religious assembly, and not be struck at once with the undue influence which falls to those who most easily utter the shibboleth of the sect, and the great disadvantage which those suffer who have attained to any unusual liberty of thought. Clansmen of all kinds are quickly stirred by their own slogan, and respond instinctively to it. A church that is thoroughly organized, like the Catholic Church, is put in possession of greatly increased power, but is instantly limited in all the terms of inner growth. This kind of maturity is as much the point from which decay dates in the spiritual world, as is the completion of growth in the body of man. A still more powerful cause of decline in religion is found in the fact of a hierarchy. The priesthood of a faith come to stand for the faith itself, and so the faith is made to share their fortunes. A religion is ordered in reference to the interests of a governing body which it sustains, and which in turn sustains it; and so it comes to have its periods of strength and of weakness, like a kingdom or a dynasty. Under these personal influences, both rites and doctrines are liable to be separated from spiritual ideas, and even moral principles, and lend themselves as instruments of authority.

Thus Judaism, without abandoning its central idea, overlaid it with so many, so burdensome, so frivolous methods, and methods so misleading, as greatly to reduce its value. It became an instrument of immediate control in the hands of a dominant class. The early Chris-

tian Church passed into the Mediæval Church, and, in the transition, turned faith into orthodoxy, religion into observance, charity into good works, and zeal into propagandism. Herein there was as obvious and as steady decay as was ever shown in any faith. It arose from the perverse tendency to refine on refinements, and to make the interior life minister to an exterior expression of power; the re-assertion of self-interest against the insight of the soul.

The decay of religion, also, easily allies itself with the growing weakness of a race or a nation. Religious duties sink into customs and conventional sentiments, and become a part of an extended social system, which embraces the national life and looks to it for support. This has been pre-eminently true in India, China, Japan. Religious, social and political influences have all united in an intolerable tyranny of custom, holding fast every erratic tendency from century to century. It should be a first office of faith in its unending growth of ideas, its ever renewed promises, to prevent this stagnation of national life, and push it forward in fresh attainments. Yet a faith that becomes wedded to persons and classes and institutions may itself be the most formidable barrier to progress.

We have in Greece a peculiar example of an affiliation of religion with art. The poets became the expounders and prophets of faith. Art gave law to religion even more than religion to art. When art began to fail, falling off from the purity and force of its own inner life, religion failed with it. Philosophy separated itself from religion; and even ethics, as in Stoicism, held but lightly by it. The movements of change in society and in the nation left art behind and religion behind, and in so doing soon ceased to have the character of growth. The two were

so identified in their outlook on the invisible that they fell together.

§ 11. James Freeman Clarke in his recent work, "Ten Great Religions," divides religions into ethnic and catholic. The distinction has force, but not all the force it seems at first to promise. The ethnic religions are closely identified with particular races, are without great leaders or prophets, and lay little stress on moral principles. The catholic religions are the reverse in each particular: they are more independent of races, they owe their origin to great prophets, and depend on fundamental ideas. Judaism, Mohammedanism and Christianity are examples of catholic religions, and Brahmanism and the religions of Greece and Scandinavia of ethnic forms of faith.

Without overlooking the reason of this division, it is plain that every religion tends to become ethnic, no matter how catholic it may have been in its inception. This assertion is included under the law of decay above given. Decay lies in passing from the more general to the less general, from principles to narrow methods under them, from the catholic to the ethnic. Every religion, therefore, whose origin is lost in the dim past, having slowly taken on the characteristics of a single nation, will offer itself as an ethnic religion, while those religions which have arisen in more recent periods will be more catholic in form. A religion in its origin, unless it be a secondary phase of an old faith, tends strongly to catholic characteristics, and a religion in its decline is ever slipping into the phases of national life which belong to the places in which it lingers. Judaism, notwithstanding the breadth of its fundamental assertions, notwithstanding the eminence in its history of one man, slowly became a very rigid ethnic belief. If the earlier portion of the

history of Judaism had been pushed back into an obscure antiquity, while its later development only covered the historic period, few forms of faith would be more exclusive, or bear stronger marks of the races to which they belonged than this. Mohammedanism, in spite of the breadth of its conquests, shows a decided affinity for the Arabic mind, and for types of civilization allied to that of the Arabs. Buddhism started as an exceedingly catholic doctrine, under a purely moral type, with a single great prophet. Later, it assumed a religious character, was increasingly subject to special conditions, and has ended by becoming a very definite phase of faith, with strong local affinities. Indeed, unless a religion, catholic in itself, becomes speedily catholic in its extension, and is subjected to broad, varied and changeable conditions, it almost inevitably takes upon itself some narrowing tendencies, some local influences, by which it passes into an ethnic form.

Thus the Nestorian Church and the Armenian Church are straitened in many directions. The Greek Church and the Latin Church, as the names imply, disclose this same law. The Greek Church, pushed backward in its origin, might easily be made to present all the features of a local and national faith. The Latin Church has steadily lost its catholicity, and, in this decay, has shown an affinity for the Latin races. This tendency would have been still stronger, had it not been for the waves of civilization that have beaten so long and so hard on national barriers. The most catholic phases of Protestantism are those which offer the most variable creed and the slightest organization, as the Congregational Churches.

When we speak of the perfect catholicity of Christianity, we cannot refer to any one Church, any one phase it has assumed, but to the general and pervasive power of

the words of Christ, sown without dogma, without rite, and without organization in the world. These show their catholicity by springing up afresh in many new places, under many new forms.

§ 12. All religion has helped human thought; no religion, as it actually offers itself in any given place, serves more than a temporary purpose. The human mind is like stubborn soil that can be brought into cultivation only by being broken often in many ways, subjected to many forms of tillage, and made fertile by repeated dressings. The religious problem is a collective one as well as an individual one. The race has been at it from the beginning, and still finds the same occasion for new effort. What is done in the development and the exhaustion of one phase of thought, in one place or in one nation, is done, at least partially, for other nations and places. A truth for a long time transferred to action, an error exhaustively traced in all its evil consequences, are omnipresent factors in human history, continental landmarks to all races and all times. Processes once fully achieved, need not be indefinitely repeated; the human mind is carried beyond them. It is permeated with a light that suffices for all. A deeper spiritual habit is implanted that spreads laterally and by descent. Religious thought, in all its manifold forms, is struggling to be catholic, universal, as science and art and morality strive after general truths. The special is always persisting in its specialty, and giving place reluctantly to the more general.

When we speak in this way of religion, we must not be understood to mean some ultimate, ideal conception which is to gather up in each mind and in all minds the elements of order, and hold them crystallized in perfect form; but those actual conceptions of spiritual truths

which are to us religions, and cover the screen which hides from us the invisible. Those who hold one of these phases of belief, far off though it may be from the perspective centre to which religious life is converging, remote though it may be from the stage in progress which the race, with some unanimity, has reached, attach to it all the authority which belongs to the grand movement of which it is a portion, and to the growing revelation whose light it dimly reflects. This easy assumption of every erratic faith to be near the centre of belief, which all men are approaching, has greatly obscured religious thought, and embittered religious discussion. Christianity, as the mind of Christ, still remains to be seen, felt, realized. Many partial things have been done, but no complete things; many half truths have been spoken, but no entire truths. An individual consciousness, permeated with spiritual light and altogether alive with it; rational convictions, customs, sentiments in the community, organizing it into a Kingdom of Heaven; the reflex light and love in each mind due to the love and light in all minds; a just, general and beneficent interpretation of every perplexed phase of individual and social life—these are things which lie remotely before us, not with us or behind us, and these are religion, these are Christianity.

§ 13. It is not, therefore, in any way irreverent to speak of development, progress, along the most central line which has marked the unfolding of religious thought, nor to observe the contributions to truth which have come from more divergent lines. One cannot fail to see a great contrast between the Old and the New Testament; and also a great contrast between the words of Christ and any one creed or any one form of life which, in religious history, has embodied them. We easily carry back to the Old Testament light which has been gathered in later

years, and in doing this we may sometimes reach a more just conception of the inner force of the prophetic mind, since that mind was hidden in part from itself and still more from others. Yet it is plain, that in this way we easily misunderstand the historic facts of faith, as they stood out in the lives of those who entertained them.

This true coloring we need to carefully restore. The life of the Old Testament was more gross, narrow and sensuous than we often conceive it to be, reaching it as we do only by the points of light that flecked the darkness, only by the stars that send a single ray out into the universe beyond them.

In the account of creation, God is spoken of as resting on the seventh day; and this, his rest, is given in the fourth commandment as the reason of the Sabbath. The Lord says of Sodom and Gomorrah, I will go down now and see whether they have done altogether according to the cry of it which is come unto me, and if not I will know. Moses is placed in a cleft of the rock, and covered with the hand of God that he might not see his face, but his back only. A mystery and profound fear were involved in the name of God,—a conception in keeping with a kindred feeling among many races—and reverence, in the third commandment, is made to have chief reference to the use of the name of God. This has given rise to a superstitious feeling which lingers to our time. A very disproportionate sense of guilt attends on an oath, even when it has not sprung from an irreverent temper. The substance of the sin is overlooked in the prominence given to one of its expressions.

The worship of God, when it had assumed its most complete form, was intensely local, and exceedingly sensuous in its aspect. There was the Holy of Holies; there was the shew-bread, "the bread of the face, a con-

stant sacrificial meal which Israel offered unto God and wherewith God in turn fed his priesthood;" there was the incense on the altar spread "as near as possible to the Holy of Holies;" there were the offerings made by fire, a sweet savor unto the Lord. This is the frequently returning phrase, even in connection with sin offerings, a sweet savor unto the Lord. It is said concerning the offering of Noah, the Lord smelled a sweet savor, and the Lord said in his heart, I will not again curse the ground any more for man's sake. The first-born and the first fruits were regarded as belonging unto God, and his service was one turning largely on gifts, sacrifices, rites. Sound reasons may be given for this discipline, but they are none the less based on a very obscure conception of God and of our relation to him.

Men's notions concerning the character of God corresponded with this method of worship. He was the God of Israel in a peculiar sense; a sense that often carried with it, doubtless, the impression of a national deity. Prosperity and punishment were the direct incidents of worship, or the neglect of worship. Religious worship and spiritual character were correspondingly disassociated, and the union of the two became a special enforcement of the later prophets. God was offended by a numbering of his people, as if it implied some assertion of pride and independence on their part.

A future life was but obscurely taught, and local and national interests overshadowed all others. God repents of what he has done; he is a man of war. Anger, jealousy, vengeance—those unfit and most human forms of passion—are ascribed to him. He is clothed with vengeance as with a garment.

When we turn to the words of Christ there is a great change. The full flower is not more unlike the early bud

than is his spirit unlike the Jewish temper from which it sprang. The culminating revelation of God in the New Testament is that of the Holy Spirit. Thus in this progressive unfolding, strength, majesty, dominion are disclosed in God; tenderness, patience and love in Christ; and, in the Holy Spirit, a pure, pervasive, spiritual presence holding all these attributes.

In the development of Christianity there have been frequent and marked retrogressions in the conception of God. Such an idea as that of the intercession of saints introduces at once a heavenly hierarchy, and all the indirections, obstructions and aids of an earthly court. It is worthy of observation that, in troublesome and passionate periods, there has been a tendency in believers to revert to the Old Testament language and feeling. When Jonathan Edwards says, "The God that holds you over the pit of hell, much as one holds a spider or some loathsome insect over the fire, abhors you, and is dreadfully provoked," he is expressing the sentiment of the imprecatory psalms, not those of the gospel. God is angry with the wicked every day. If he turn not he will whet his sword; he hath bent his bow and made it ready. This temper easily arises in tempestuous times, and is quite other than the sweet, gentle thought of Christ as shown in the Lord's Prayer. Our Father who art in Heaven, Hallowed be thy name, Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our debts, as we forgive our debtors. Lead us not into temptation, but deliver us from evil; for thine is the Kingdom, and the power and the glory, forever, Amen. These two dispositions are not opposite sides of one disposition. They involve different centres, and different conceptions of character. The one profoundly reconstructs the other. One of the

tablets of Scotland vividly records the feelings to which persecution gave rise in that country. The servants of God, wickedly pushed, pushed in return, with what spirit was in them.

> "They will know at resurrection day,
> To murder saints was no sweet play."

There is a strange reluctance in admitting this slow development of the idea of God in the two Testaments, and in the intervening history of the Christian Church. Yet nothing can be more certain than that the ill informed mind and disobedient heart of man can but very partially receive the true idea of God; that this idea must enlarge with enlarging obedience; and that each enlargement must be attended with corrections as well as additions. The unity of character necessitates this perpetual transformation in all its terms. We are still very far from having fully entered into the mind of Christ; we are far from having fully entered into the work and word of God as they are being unfolded in the physical and the social world.

A definite assertion of religious faith; a complete organization under it; the establishment and maintenance of a great church, with its own and its urgent interests; the formation of rites and observances conformable to the doctrines promulgated, and to the immediate organic ends offered; the intensifying of faith and piety, of fear and hope in the prescribed lines; the increasing reluctance of the individual to take a single step unaided and unencouraged by those about him; the fearful thought of being alone in that most solitary of all worlds, the spiritual world: these influences, woven firm by all the memories and discipline of childhood, by the experience of age and many of the most tender incidents of life, constrain most

men with an irresistible energy, holding them fast within the circuit of their own faith. If they wander forth, it is simply straying from the fold, without wisdom and without safety. While this one fact, this great fact of the world's religious history, stands for a necessary and most profound movement forward, it also involves many evils which should receive constant correction.

Strong, deep-reaching organization is not what society now needs in religion. Christ organized nothing, and so left many things to be organized. What we call for is variable, flexible, light affiliations, affiliations that give free play to thought, nourishing it by all near and remote resources. Relatively full and independent life-forces call for much plastic material, and, as the result of their own activity, should increase this material. The free, the spiritual, the personal are to triumph over the fixed, the mechanical, the organic; and religion is to become a pervasive atmosphere of the largest life. That is to say, the building power is to pass more and more from the physical world to the spiritual world. This assertion does not annul the individual church; it makes it a single term in the general religious life. Each church defines the band of workers to which any one worker belongs, and so far his position in the great army of workers. A religious thought which is the product of all the thoughts of men, a spiritual insight, born of the light and growing with the light, these are the Kingdom of Heaven. However divisible religious truth may be in its uses, it absorbs all revelation.

CHAPTER V.

ETHICS.

§ 1. THE empirical philosophy differs not more in its manner of procedure from the intuitive philosophy, than it does in its conception of the facts which are offered for explanation. The method reacts strongly on the conception of the facts subject to it, and so both the phenomena discussed and the discussions themselves are irreconcilable in the two philosophies. As both schools of thought use popular speech in its application to morals, the difference in the facts considered is not as conspicuous as it otherwise would be, and as it ought to be for the sake of clear, progressive thought. Mr. Leslie Stephen, in his work on the "Science of Ethics," has given extended and thorough expression to the nature of ethical facts as apprehended by those who refer them to social evolution simply.

The ruling image with him—and every empiricist is very likely, in discussing supersensible facts, to guide both thought and language by a sensible image—is that of 'social tissue.' This tissue is built up of men, as an animal tissue is built up of cells. It is the substratum and source of social activity. It arises by social evolution, and responds with increasing fulness and exactness to social wants. External incentives act in this living thing, the 'social tissue;' and the 'social tissue' receives and stores the organic changes incident to variable circumstances. This image, sustained by the facts of animal

life, is made to yield a color of explanation, a reflection of light, to social phenomena, especially on their blind, instinctive side. The relation of intelligent to instinctive action is deeply involved in this presentation. Social instinct may be regarded as implicit reason, or reason as highly developed instinct. Instinct is thus reason limited to immediate facts, and incapable of reflecting on its own processes; and reason is extended instinct, apprehending distant relations, and becoming conscious of its own action. The 'social tissue' is the seat of impulse, instinct, and the concurrent effort of reason. "Instinct includes all conscious impulses to action, whether including more or less reasoned choice."* Society involves an aggregate of instincts, resting on 'social tissue,' and modifiable with it. "Morality is a statement of the conditions of social welfare." "Morality is the sum of the preservative instincts of a society, and presumably of those which imply a desire for the good of society itself."† "The moral law defines a property of the social tissue. Hence it must be natural, not artificial; it must grow and not be made; for these properties are the instinctive and underlying properties implied in all special societies, incapable of being abruptly altered by the action of any particular person, or in obedience to any subordinate series of events, and gradually developed as society grows, instead of being the fruit of special contingencies."‡ "The true school of morality is the family." "The moral quality of every man is determined to a very great extent in his infancy."§

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* "Science of Ethics," p. 83.

† Ibid., p. 217.

‡ Ibid., p. 168.

§ Ibid., p. 344.

These quotations are given from an author of acknowledged merit, as a brief method of disclosing the exact facts which the empiricist conceives to be the ethical facts of the world, and which he undertakes to expound by his philosophy. It is not of the slightest use in morals to discuss the methods of evolution involved in ethical phenomena, till we can agree as to what these phenomena are.

The phenomena we term ethical are strictly and exclusively conscious and voluntary. They are facts which occur in intellectual light, and owe their character to the distinct action of the mind. Virtue can no more walk in darkness than can truth. Ethical facts are those with which we are all familiar when we ask, or are asked, concerning lines of conduct, forms of policy, Are they right? The distinctive element in ethics is the conscious insight which attends such questions, when their terms are all before us; the emotional element, the feelings thus aroused; and the voluntary element, the conduct which springs from the answer. Now here is no 'social tissue,' nor any other tissue. We might as well explain a treatise on geometry by the 'social tissue,' as one on ethics. Both are distinctly referable to intellectual activity, and nothing else; the ethical insight being of the two much more broad, emotional, practical. It matters not by what circumstances this insight is called out, it still remains the source of its own products.

Ethical insight, in altering conduct will alter all the submerged terms on which conduct rests. Conduct, in passing from clear consciousness into habit, from individual conviction into social sentiment and custom, calls to its aid, is modified by, and modifies, many conscious and unconscious processes; but these give only the conditions and methods of moral action and not its distinc-

tive quality. This abides in rational insight, and there only. The study of logic may alter the spontaneous judgments that follow later, yet logic as a science pertains to the distinct recognition of the conclusiveness, the correctness in form, of certain processes of thought. The first condition of distinctness in ethical discussion is the clear recognition of both elements, the purely intellectual one and the extendedly organic one with which it is associated. We are prepared then to understand each in its relation to the other.

The animal kingdom is full of what Mr. Stephen terms 'social tissue,' and should be full, therefore, of morality, far more precise, if less extended, than that current among men. The difference of conception involved in the empirical and intuitive view of morals is too great to admit any profitable discussion of minor points, or even of the intelligibility of such discussion. Instinct and reason are not recognized by the intuitionalist as in any way interchangeable terms; they stand rather in marked contrast. The above definition of reason, that it is extended instinct, self-conscious instinct, seems to the intuitionalist little better than verbiage. One might as well say that reflection is self-conscious digestion. Instinct is the second step in purely organic, physical life. Organic life is ordered through the nervous system by an internal response to internal stimuli. Instinctive life is ordered by a kindred, automatic response to external and internal stimuli, which, in the action secured, fit the organic being to its environment. Strictly organic action is action within the organism, based on internal changes. Instinctive action is associated with stimuli that pertain to the external world, and which tend to secure the conditions of well-being which it demands. Organic action and instinctive action together give the conditions of a

physical life that can proceed without consciousness, and to which consciousness is only incidental. This physical life in turn prepares the way for that associative life which attends on enlarged consciousness; and a life of this order, sustained by organic, instinctive and associative activities, is prepared to furnish that basis of being on which reason rests, to which it can be added. These forms of action which lie below reason do not explain reason, they furnish the needed support to reason, and that with which reason is to deal.

Instinct is expounded as lapsed knowledge. There could not readily be a more fundamental perversion of the true sequence. Instinct, in the great mass of its facts, like organic life, precedes knowledge. Doubtless there are a few sporadic facts to be explained by the above view. Reason may modify organic life, and may modify instinct. A dog with a large basis of instinct—automatic action under external stimuli—may doubtless be so trained as to extend this instinct. An associative action may lapse into an instinctive one. So a man may somewhat change his method of breathing; is respiration, therefore, lapsed intelligence? The ebb of a wave gives conditions for the next wave, but does not explain it.

This difference of view as to the facts themselves should first be overcome, and can only be overcome by a wide survey of the field in all its features; a recognition of the phenomena with which we have to deal in their manifold groups, and a willingness to confront these peculiar facts in their most distinctive forms. We shall do well to define instinct, for example, in its nature and office, by the part it plays in insect life. Here it passes to its most complete expression and maximum amount. We shall do well to settle the nature of ethical facts by a

study of the convictions, feelings, actions of the most conscientious men and the most enlightened communities. We may afterward do what we can to explain the growth of these facts, but these are the facts which we have to expound, and not some other facts more or less remote from them.

§ 2. Ethical phenomena are not obscure or distant. They lie upon the surface of individual and social life, and, as simple facts, ought not easily to take a false coloring. The appetites in man, as contrasted with other forms of animal life, have been loosened from automatic government. They remain to be corrected and governed by reason. The desires and passions of men, in form, intensity and variety, turn very much on social development.

A large and expanding field of activity is given to man by his relations to his fellows in their individual and joint growth. These separate and collective forms of action are also to be guided and governed by reason. In addition to the more immediate impulses of appetite, in addition to the increasing incentives of man's social nature, there are also the higher inspirations which belong to him as a spiritual being, and the affections which wait to be called out in connection with them. The constitutional balance and harmony of wise conduct is a result that waits on thoughtful insight. Much is to be partially repressed, much is to be awakened, much is to be guided into favorable channels. The beauty of character, the perfection of society, are not automatic products, they are the products of reflection, discernment, choice. So practical morals and historic growth constantly treat them. To treat them in any other way, to expound them in any other fashion, is to make morals an

affair of 'social tissue,' is to draw attention to a different and quite subordinate set of facts.

The ethical phenomena, which stand out so boldly in biography and in history, have two cardinal features: thoughtful inquiry, uncovering broadly the relations of conduct; and insight into conduct, as fit or unfit, right or wrong. The problem of conduct and character is always a growing one. The relations of actions are becoming more comprehensive, and man's apprehension of them more just and complete. Hence the sense of rightfulness is correspondingly modified. This increasing discernment of the constitutional law of rational, social action is a conjoint one of unfolding and of insight, of experience and of interpretation. A problem in geometry owes its convincing power to the order of the successive steps of proof, to the discernment which makes each step and all steps collectively satisfactory. There is no knowledge which does not turn on some form of ultimate, appropriate insight. The empiricist seems to speak as if events, with no interior connection, could make a world of coherent mental experiences, as if an experience, with no unity of reason, could yet attain to wisdom. Passive reception is a dead process, rational power is a living one, turning the symbols of thought into thought itself. Till we reach this final, sufficient movement of mind, this insight which is the bright centre of thought, all else is mere mechanism; terms of knowledge, not knowledge itself.

What the intuitionalist affirms in reference to morals is, that conduct, spread in extension before the mind, understood in its motives and consequences, is comprehended by it for what it is, conduct; is discerned by reason—precisely as it unites steps of proof—as spiritually fit or unfit under the constitution of man and

society, as right or wrong. Till the reason does see this relation, there is for it no ground of action; when it does see it there can be for it no higher ground of action. The intuitionalist affirms that reason involves this power of insight, which expounds experiences, and turns facts into a law of conduct. It can and does discern—with labor and error—the fit constitutional terms of character. What seems to it fit, it terms right, and lays it as a law upon itself, precisely as it imposes the laws of thought upon thought. A law laid on reason in any other way is revolting to reason, and, if opposed to this inner conviction, the product of experience and insight,—experience which offers the problem, and insight which enables the mind to solve it—is at once and decisively rejected by it. The community has no law to lay upon the individual which does not resolve itself into this same insight, or become the blind, aggressive, tyrannical accumulation of private interests.

The whole theory of morals turns on the simple question, whether there is reason in man, power of discernment and guidance; or whether he is waiting for the establishment, singly and collectively, of automatic forces, that shall bring him under the government of adequate law. If the last is the correct statement, man and society are lawless, ungoverned, because the constitutional forces which will ultimately do this work are not yet present; because the 'social tissue' is not yet developed. If the first statement is to be preferred, then a higher, spiritual order is being established of opening spiritual insights, building themselves up on the basis of organic forces. These organic forces will, it is true, be much modified by the higher activity, and brought in many new ways to sustain it; but in this ac-

tivity, none the less, lie the gist and germ of the new era.

There is not more difference between a cloud, dissolved in the light and dissolving it, and dead color, than there is between physical actions which are each instant shaped anew under omnipresent insight, and a merely organic play of functions. Take the violinist in animated execution. What an interesting concurrence is there of discernment, feeling and delicate manipulation. Body and mind, physical form and spiritual force, inseparably flow together in one result, a result alive in every part of it with an intense consciousness, a freely-flowing, rational life, which is what it is by what it sees and feels, and which sees and feels by what it is. Blind, organic processes are very far off from any such issues of higher insight.

Empirical philosophy is able to parody the processes of rational growth by clinging close to their external features, neglectful of the life that animates them. Intuitions of beauty and right spring up in an intellectual, social soil; they give rise also to many changed conditions of that soil. Empiricism draws attention to these modified conditions, and unites them as a rational experience, omitting reason itself.

We may easily and wisely dwell on the growth of experience, as furnishing the conditions of enlarging law. We may trace this law in its power to re-shape, in the individual and in society, the organic conditions which it touches, and, if we stop here, we have empiricism, we have phenomena, but not the energies which underlie them; we have body but not soul. As the empiricist rules the mind out of its own processes from the very beginning, it is a matter of course that he should give us, all the way through, the formulæ of action, and not the

idea or ideas which it includes, its sensible and not its rational terms. Spencer's definition of life is an example in order: "The definite combination of heterogeneous changes, both simultaneous and successive, in correspondence with external co-existences and sequences." This is a description, not an exposition; a process, not a power; a product of the senses, and not of the reason. If our philosophy is to proceed under the analogue of the senses, we are virtually dispensing with it altogether. The quicker we do this consciously the less will be our labor and our vexation.

§ 3. Regarding the ethical law as the law which reason assigns itself in conduct, as the logical law is the law which it assigns itself in thought, and the æsthetic law is the law it assigns itself in form, we are prepared at once to define the scope of this law, and its authority. Its scope is as broad as conduct, for conduct is the action of a rational being as rational; and its authority is as absolute as reason, that is absolute. The authority that is not force emanates from reason. Reason alone possesses and gives authority. It alone is autocratic. Religious truth may, to the reverential mind, seem to bring limitation to this assertion; the limitation is apparent, not real. The moral law is the constitutional law of man and of society. It is, therefore, the divine law. Revelation can only disclose this law more and more fully. Nature is certainly of God. We affirm his being on the ground of nature. Revelation does not judge nature, nature judges revelation. The universe is the comprehensive term of knowledge. That only is revelation which reveals the spiritual force of the physical, social, spiritual facts which surround us.

We believe in God because of the moral energy of the world we are in. By means of this righteousness we

reach a righteous God. The righteousness of God may enable us better to understand the righteousness of the world, but the two must interpret each other, and agree with each other. They stand in mutual reflection. If we are sure of the moral law, we are so far sure of the Divine Mind; and if we are sure of the Divine Mind, the correctness of our conviction must disclose itself as light brought to personal, social, historic facts. Religion gives the interpreting ideas of spiritual events, and the two must concur in knowledge. But the facts of the world are fixed terms, while the ideas that expound these are flexible ones. It is those that determine these, not these which control those.

We are using the words moral and morality very broadly. They cover all conduct. They are as wide as reason in its rule over action. They teach, therefore, our relations to God as closely as our relations to men. Religious ideas are convictions which arise out of spiritual, ethical experiences, and which are present to give new depth and force to them. Ethical law is thus the all comprehensive law of reason in guiding and governing itself. It is the law that first abides in the mind of God, and is transferred thence to the minds of men. Reason kindles reason, and bears its own light everywhere with it. We reach the ethical law, the law of reason,—finite and infinite—as the supreme law of life. This law, in its application to the individual, to society, and to them both in their joint, inseparable development, is more and more intelligible with advancing experience, secures a deeper and broader hold on and under that experience, and so becomes increasingly the one comprehensive fact in sociology. All social laws are combined and shaped together under moral law, and the moral law is the supreme law of the world, supreme over all interests and in holding all

interests together. There is unity in life, in reason, and this law is the expression of that unity. We must also be reminded that by reason, used comprehensively, we mean the combined force of all knowing faculties and of that emotional life which ministers to them.

CHAPTER VI.

ETHICS IN ITS RELATION TO CUSTOMS AND ECONOMICS.

§ 1. WHEN we speak of society as organic, we mean that it tends constantly to form, and does form, a distinct whole, with a close dependence and interaction of parts; and this by means of tendencies which reach this result in large part unconsciously and inevitably. When these constructive forces are spoken of as unconscious, it is not meant that consciousness does not accompany their action, but that the end reached by them is not definitely proposed and pursued in consciousness. Language is organic, because its production is not due to design, but is incident to the spontaneous use of powers having other and more immediate ends in view. Such quasi organisms as society, government, language, lie between conscious, reflective action and unconscious, organic action. They are the immediate, but indirect, product of spontaneous activity, but once formed they are increasingly re-shaped of set purpose to the rational ends of life. This is to say that they lie between organic and ethical forces, between spontaneous and reflective processes.

Customs preëminently pertain to the simply organic movement by which men and classes fall into position as regards each other. The procession moves, and they are drawn on by it. Customs, as we have seen, express the largest amount of feeling and the least amount of reflection in the constructive process. Economic laws are incident to a somewhat more extendedly thoughtful move-

ment, but it is one narrowly directed towards immediate ends. These laws are not the results of reflection, striving to guide itself in correctly ordering the phenomena concerned, but they are the instant products of selfish, yet intelligent, impulses. They inhere as laws in these impulses, in their spontaneous expression, and are not laws put upon them; they are organic laws and not reflective ones.

There are three grades of action: mechanical, organic and rational. Mechanical action, within itself, takes place with no combining idea or law; organic action occurs under an unconscious combining law or power; rational action is put together in obedience to a direct, conscious purpose. In saying this we speak of each form of action narrowly, in its most conspicuous phase.

Customs and economic laws constitute a very essential part of those organic forces to which the formation of society is due. They are, in their constant extension, precise form, and present conditions of application, a very essential part of that 'social tissue' which has been spoken of as the seat of organic power. Individual feeling, social feeling, current desires, customary forms of expressing these feelings and desires, the immediate methods of attaining desires, conventional sentiments touching all these points, together constitute, in large part, the organic force of society.

Over against these influences, maintaining the present form of order, stand the reflective, ethical powers, struggling to bring the results of organization into harmony with each other and with an ideal. Between these two diverse influences lies the orbit of society.

§ 2. Customs, in their full variety and in the conventional sentiments—convictions not under active discussion—which sustain them, cover much ground, and hold

it with great tenacity against any changes save those minor ones which only imperceptibly modify character. These customs may have their supreme hold in one field, as religion, or in several fields; but wherever they are, they occupy the ground in close possession. "The English surpass in folly all the nations on God's earth, and are more abject slaves to custom, to opinion, to the desire to keep up a certain appearance, than the Italians are to priestcraft, the French to vainglory, the Russians to the Czar, or the Germans to black beer." Customs embodying the life of a community, expressing the equilibrium which has been reached in a long history of struggle, have great power to resist any sudden change, no matter how rational it may be. Reason as well as inclination help to impart this inertia. A mere shifting of customs, a transfer of gains and losses with no new approach to justice, are a decided disadvantage. Burdens are transferred from callous to uncallous shoulders. The protections which habit always sets up are lost, and many unexpected irritations arise. The losses in attaining a new equilibrium are large, and can only be compensated by still greater gains.

Customs are sustained by more or less of sound reasoning. The state reached under them is one relatively safe, and one which experience has shown to be bearable. If familiar safeguards are broken down, disorderly and destructive forces may rush in with less fear of the new than of the old. It is the stronger, more constructive classes that are usually to suffer loss by a change of customs, and the weaker and more disorderly ones that are to gain ground. Timid minds are conservative, choosing to bear existing evils rather than to incur the risk of unknown ones. The prosperous are conservative, for present relations are favoring them. The prudent are

conservative, for prudence lies in accepting as little exposure to failure as possible.

We are also to remember that existing feelings constitute a very essential term in all social, moral judgments. What seems justice to us turns very much on the sentiments we entertain towards those about us, as justice is, in large part, an expression of feeling. It is impossible for a community, for a long time subject to tyrannical customs, to fully see this tyranny, or to perfectly understand that which is offered in correction of it. Customs, feelings, thoughts, must themselves change as a condition of correct judgment. Our moral convictions grow up slowly with and out of our social sentiments. The mind is never fully on one side and the heart on the other. The mind and the heart unite in the final verdict. Each mind is struggling after harmony within itself, precisely as the community is striving after it. One adjustment is not fully made without the other.

Only one force is sufficient to much modify or steadily improve customs, and that is moral conviction, developed in advanced minds. This slowly reshapes the terms which enter into social customs, and is sometimes able to bring abrupt change to civil customs. A revolution that is one of physical force is a riot rather than a revolution, and can secure ultimately but slight re-adjustments. Organic change must itself be organic, instituting and sustaining a constructive movement within the organism. The only force that can do this is the moral sentiment, in one or other of its modified forms. Justice becomes visible, then possible. Good-will is inspired, and so at length is ready for expression. Growing convictions reduce prejudices, and so soften the conflicts of feeling. Genial sentiments spring up and kindlier and more trustful thoughts follow. Sound reason confronts unreason-

able conservatism, the experience of progress emboldens the mind, and the glow of philanthropic effort warms it. The centre of progress, firm, safe and continuous, is found in the moral reason, pursuing its own ends from impulses within itself. The growth of society, more especially the rapid growth of modern times, is the growth of reason, insight, the sense of conduct.

To develop a principle and—the more difficult task—to develop a practice under that principle call, first, for the wise interpretation of facts by the few, and, second, for the slow extension of that wisdom into the minds of the many. Thus some races are especially organic, as the Anglo-Saxon, by virtue of fundamental convictions consolidated in action.

§ 3. No other tyranny can be as great as that of custom, for none can be so pervasive, so little appreciated, so feebly resisted. The great growth of liberty lies in a constant readjustment of customs, social, civil and religious, for the better development of the life they order and contain. We must look to the reason of men, urged by the highest incentives for the leading movements involved in progress. Indeed, this seems to be but little more than a truism, if we remember that the advanced state implies the advanced apprehension, and the cheerful response of a free, full life.

India has already been referred to as a country whose life was thoroughly swathed and bound fast in customs, with the strongest social, civil and religious sanctions. The moral sentiment, either as justice or benevolence, was powerless to break the triple bonds. One great effort was made by Gautama. The light which came to him was ethical. He penetrated more deeply and truly the relation of man to man, the brotherhood of men. He placed a more just estimate on the fierce desires

which divide men, and which consume human happiness. Buddhism entered on a long and stern struggle with custom, as concentrated and consolidated in Brahmanism. The forces marshalled in this strife were most formidable. Buddhism, after many and great successes, was at length driven from India, and custom regained its unbroken dominion. In the mean time, Buddhism itself had been partially conquered by custom, and it went forth a religion, with its own rites and methods. It was no longer a faith in man addressed to all men. If we could trace minutely the rise and decline in Buddhism, it would be a very instructive chapter in human history. It offered a protest, at first effective, to the overshadowing power of familiar ways, and itself slowly yielded to the same inimical tendency. The last century in France showed the convulsive power with which the bonds of custom are sometimes broken and its tyrannies cast off. It also showed how many of these evils revive again if there are no clear, universal, ethical convictions with which to build fresh institutions in their place. The moral life of France has not been strong, and, such as it has been, it has been religious rather than ethical. Thus France has been more potent in pulling down than in building up, and has passed from revolution to revolution with changes that have oscillated between tyranny and liberty. Nor has the popular mind always distinguished the one from the other. If the French have awakened the enthusiasm of the ardent by their bold methods, they have equally alarmed the fears of the prudent, and excited horror in the humane, by their needless destruction. They have failed to build as rapidly as they have overthrown, because they have lacked firm centres of conviction, strong supports in the popular mind, settled and coherent principles. When custom and institutions have crumbled,

they have crumbled into dust, and left no material or foundation for a new edifice. True organic destruction is part and parcel with construction. It is prompted by it, and makes way for it.

A strong moral sense is always constructive. It is by virtue of its positive assertions that its negative ones arise. There is in it none of that blind passion, that brute instinct, that avenges itself without knowing how to right itself, that is as dangerous to its own interests as to the interests of others. The moral sense, the sense of conduct, lies at the centre of all fortunate revolution for this very reason, that it is in pursuit of a clearly conceived and constructive purpose.

§ 4. In England the force of custom is strong, and so also is moral conviction. Ethical sentiment, especially in the form of justice, is deeply seated in English character. The impulse is often a narrow one, but rarely dormant. Custom, possession, justice, are very closely associated by Englishmen; and pure justice has only prevailed over that conventional justice which stands connected with custom, by a long struggle, carried into all the details of life. A very important factor in the development of English life under law has been that the relation of its classes has but very partially expressed race distinctions, or the results of conquest, but has rested very largely on the energy and enterprise of those concerned. Changes, therefore, have been wrought slowly, and chiefly under the development of social ideas and powers. Says George Eliot, "We English are slow creepers"; and yet for centuries they have been busy creeping. The great additional difficulties arising from conquest, diversity of races, and of religious convictions, are seen in Ireland.

The balance between custom, the conviction of the past, and truth, the conviction of the present, has been

wonderfully well sustained in England. Among her great men, conservatism and radicalism have only rarely stood for sentiments so hostile as to preclude discussion. Sometimes men of wide scope of thought, as Burke, have fallen into a senseless fear of change; and again men of brilliant endowment, as Shelley, have quite fallen out from English society because of their erratic radicalism. In neither case, however, have such men much modified the deep, strong stream of social tendency in England.

Custom has so far stood in England for law, order, that it has not been rejected except in behalf of new law and another phase of order. Those who have simply pulled down custom have been the rabble, and their action has been riot.

> "The rabble call him lord;
> And, as the world were now but to begin,
> Antiquity forgot, custom not known,
> The ratifiers and props of every word,
> They cry, Choose we; Laertes shall be king."

The quiet, practical way in which the new displaces the old is well illustrated just now in the right which the speaker of the House of Commons is gaining of closing obstructive debate, under the reason of urgency. Custom and the strong sentiment in favor of the freedom of debate have gone so far as oftentimes to baffle the very end in view, and make deliberation futile. The closure of debate is required on the ground that the urgency of immediate interests does not allow its continuance. Thus, with no systematic method or enunciated principle, the expediency of discussion is confronted by the deeper expediency of bringing discussion to a conclusion, each case being settled by its own merits, under watchful self-interest. The English constitution has thus been

wrought out between two strong tendencies, each acting narrowly and continuously: that of custom and that of renewed conviction. The moral sense has been in this conflict, though often an obscure, a pervasive, power, extending to all classes, and finding its way into society and religion and law. The English have especially trusted—a form of trust to which men necessarily come at last—to the active restraint of man by man, party by party, in immediate oversight of each other. A government of simply regulation and law quickly becomes mechanical and ineffective. Restraint, like guidance, must be inner and personal; it cannot be a thing of external bounds merely.

§ 5. In America custom has been reduced to its lowest terms. Public opinion takes its place, but by no means an ideal public opinion. Perfect public opinion would give easy admission and thorough discussion to new ideas, and would hold the balance of reason between the new and the old. This form of opinion, in which the ethical sentiment has sway, in which liberty refuses to lose itself in custom or submit the future to the past, is still remote. The various race elements in our nationality all occupy the same social ground, with constantly decreasing prejudice, and a steady reduction of the divisive forces of religious faith. Social customs are much broken and easily give way. No country, therefore, is ready for more astonishingly rapid and peaceful changes. There are a perpetual ebb and flow of sentiment which is not simply willing to receive guidance, but demands it. We can only live by constant reconstruction.

Political parties are, with us, a chief means of gathering, consolidating and extending a tendency. Moral and social questions, like the question of slavery or of temperance, are closely involved in these means of political in-

fluence. The social and the political are with us peculiarly inseparable from each other. Parties, engaged in a vigorous discussion of some question of national policy, eagerly followed into all its social bearings, secure as rapid and just a conclusion as the intelligence and morality of the mass of the citizens will allow. But parties, even when the product of a great idea, soon come to be governed by personal and partisan ends. They are rapidly perverted by power. They fall into the hands of politicians; that is, men who have the knack of management, and who seek private interests in public matters. It is well nigh impossible to shake off this control within the party itself.

The evil is not quickly or fully seen. Discussion and appeal go on under familiar principles, old watch-words, current phrases, and patriotic protestations; while the purposes really pursued, and the methods adopted, have very little connection with the platforms, addresses and speeches with which the public attention is occupied. Public opinion is thus evaded and emasculated, and in place of it we have illusion, delusion, hypocrisy, partisanship, and self-seeking of every degree and order. Nor can these parties be readily reconstructed within themselves. They have fallen into the hands of shrewd managers, who give a large share of their attention to an industrious working up of all the means of influence, and a careful exclusion of opponents from power. Exhortations to citizens to discharge their duties as citizens are often of no practical value. They can accomplish nothing without extended combination and prolonged effort, equivalent, in the zeal, sagacity and expenditure demanded, to that which they have to overcome. For this they have neither the taste nor the time. If they give attendance in small numbers in primary meetings, they

are easily managed, and their opposition is made ridiculous. A corrupt political party is not readily shaken off. Though it may have lost or overworn its principles, it still maintains the semblance of conviction, and has urgent grounds of union in the widely extended interests of its leaders. Those who have statesmanlike qualities and maintain an active interest in politics must bend of necessity to these party organizations, and sustain them. It is the indispensable condition of power. These parties, apparently held together by political principles, urged in a narrow, partisan and calumnious way, are used for personal advancement, and for political, social and economic monopolies, even when these ends are distinctly disclaimed and denounced. The extent and ease with which the people are hoodwinked by political leaders are something astonishing, even in a world of illusions. If the working class start on a crusade of reform, they are very likely to fall at once into the hands of demagogues who have no real interest in them, and to esteem lightly the only persons who are able or inclined to give them sound counsel.

The indestructibility of political parties greatly reduces with us the force of public opinion, and puts in its place the clamor and hypocrisy of demagogism. Politicians make and misdirect public opinion, and public opinion finds itself too weak to frame and handle its own instruments. What Matthew Arnold says of English politics is equally true in spirit here. "When Prince Bismarck deals with Lord Granville, he finds that he is not dealing, mind to mind, with an intelligent equal, but that he is dealing with a tumult of likes and dislikes, hopes and fears, stock-jobbing, intrigues, missionary interests, quidnuncs, newspapers—dealing in short with ignorance behind his intelligent equal." When one with us touches

politics, he touches he knows not what. He is only sure that some very unexpected and remote interests and persons will turn up. Parties should be frequently broken up, the mechanism of the machine-politician smashed, and the elements of combination held in suspense, ready for new purposes.

In spite of what has now been said, a relatively sound public opinion does exert with us an immense control and keep comparatively safe and wise the administration of public affairs. Publicity takes the place of conscience with the politician, and a very effective conscience it proves at times to be.

The cabinet system of England pushes ideas more constantly and urgently into the foreground than does the party system of the United States. The loss of an idea is the dissolution of a government, and a reformation must be secured under an idea. Policies win at once their proper potency, and the conflict momentarily turns on ideas. Parties under the leadership of politicians are constantly, on the other hand, shaking off ideas as troublesome terms, are combining and harmonizing interests, and constructing a machine, in place of rational incentives, for social management.

The political press is a great instrument in shaping and maintaining parties. It gives itself unreservedly to their success. It rarely speaks the truth with fulness and candor on political topics. So much does it fall short in this respect, that it becomes a matter of grave difficulty to find out the simplest facts, covered up as they are by so much distortion and suppression on all sides.

The ethical sentiment, rational insight, is the one power by which the mal-adjustments of the present are to be broken down, and society perpetually rebuilt under living ideas and immediate interests. If the drifting

fragments of the hour are compacted, like an ice-floe, in political parties, it is still the moral sentiment, abiding in the minds of men, that must dissolve them afresh, and give movement to that genial, vivacious public opinion which, like the air of spring, receives and diffuses vital power. Reason, no longer confounded with anarchy, should challenge every custom, build its own structure on the simply organic foundations of society, and so lift the lower in all its ministrations and relations into a new region of light.

Society must often rid itself of lingering and unfit customs, as the housewife shakes from her lap the rinds and remainders of things whose esculent parts she has appropriated. Old political parties express and preserve in this country the agglutinative power of self-interest and passion, and need, therefore, to be often broken up, that social and moral forces may gain again constructive energy. Any new moral impulse should be eagerly seized upon for this very end. Only thus are the materials of formation kept fluent.

§ 6. The relation of economic laws to moral ones does not seem to be intrinsically obscure, though men have often thrown it into confusion. The well-being of society is the product, not of one set or two sets of laws, working absolutely, but of many sets of laws, modifying each other in many ways. The rightful interaction of each law is as needful as the action of any law. It is the office of moral insight and sentiment in society to see, in connection with the laws of exchange, that the conditions for their favorable operation are fully met. An exchange of commodities and services oftentimes takes place when these laws are inoperative, or very unfortunately operative, owing to some peculiar inability or hardship of one of the parties to them. These laws take fort-

unate effect, and have full efficiency, only in an open market. If, therefore, there is no market, or the market has been tampered with, there is no longer any appeal for justice to the principles of economics simply. If we recognize this truth in the immense mass of transfers which take place in our leading centres of exchange,—nine-tenths of these transactions being fictitious and very many of them designed to control the market, not to disclose it—we may still overlook it in those single and obscure sales which, by their smallness and remoteness, miss the government of economic law. One may sell his labor or purchase his subsistence under circumstances which forbid any competition. Transactions which have the forms of a just trade may lack its essential elements, as far as any correction of exaction is concerned. The purchaser or the seller may be able to avail himself of the necessities of one who is appealing, not to a market, but to the mercies of an individual,—mercies that are laid aside because of these formal elements of a trade. One may foreclose a mortgage, and pass through the legal forms of an open sale, and yet obtain the property involved very much on his own terms, because of the impossibility of extemporizing a market at any one point and moment. He thus accepts, against good morals, the mere show of an economic law when the substance is wanting. The process of sale is regarded as far more sufficient unto itself than it really is.

What economics really teaches us is that the conditions of fair, desirable exchange are very delicate and difficult of attainment, and that, therefore, in our pursuit of the well-being of men, we must have these conditions constantly in view. The law works evil, not good, if its first terms are perverted.

It is a part of the ethical law to impose on every man

the duty, as far as in him lies, to renew, generation by generation, place by place, point by point, fair, equal, general terms of competition, the essential conditions under which alone economic laws are fortunate in their operation. It is a permanent duty of the state to perpetually re-establish the conditions of favorable production. When any class is permanently worsted in the competition of trade, that class become rightfully, necessarily—rightfully in themselves, necessarily in reference to all—an object of solicitude. It at once accrues as an urgent duty, on the part of the state, to check in all practical ways such a tendency, and to restore, if possible, to their feet those who have fallen. That which is the duty of the state is in a measure the duty of every citizen in the state. The moral law aims to impose this very obligation—a conscientious watchfulness over the fairness and fulness of the terms under which economic laws are taking effect; the righteousness of the control which is being exercised under them; the justness of the conditions they are bringing to each new generation, whose fortunes are to be settled by them.

It is not sufficient to say these accumulated results are themselves a part of competition; we are no more bound to protect a man's children than the man himself from the consequences of failure. Both bring a moral appeal to us, and the one class much more strongly than the other. It does not belong to the good Samaritan to say, The wounded man should have taken another road. It does not belong to the good citizen to say, These children's teeth are on edge because their fathers have eaten sour grapes. It is a stroke of Providence in our favor, bringing us one of the opportunities of thrifty habit.

No natural law calls for more watchful and more loving limitation than that of inheritance. It is, indeed, a law,

and a beneficent one, but a law to be cautiously restrained on this side and improved on that side. My house, or my neighbor's house, may be burned up in accordance with law. There is no satisfaction in the mere fulfilment of law. Combustion has its methods in order that it may be governed by means of them. The accumulated evils of inheritance under economic laws are to be studiously evaded, and this evasion is a part of our moral duty. Law here is no more absolute than elsewhere. This generous supervision, this interest, enlarged to the dimensions of society, and stretching out eagerly toward the future of the race, are the more needful in connection with labor, because labor is so easily, so ignorantly, so fatally, improvident; and because economic forces urge it so severely in descent and take effect so slowly in renovation. Wages readily fall, and have but little power to rise again. Labor is more often than otherwise trembling on the verge of decline in a crowded market. All mistakes in production, no matter with whom they originate, come home to labor, and the returning prosperity is only sparingly shared by it. Labor profits by the brisk demand of the summer, but is left to bear the increased pressure of winter as best it can. A railroad, scarcely raising its wages in the months of traffic, may wish to double up its trains and discharge half its engineers in the winter months of relaxed trade. Many inevitable blows are thus falling, much at random, on labor; and these institute an unusual and urgent claim for special consideration.

A third relation of ethical to economic law is that of higher, supplementary action. Whatever we may win under production is to be expended under morals. Production defines possession, but possession gives the basis of benevolence. Not till we know what is our own can

we determine what we will do with it. Economics settles the antecedent conditions of ethics. All that is gained by the one remains to be used by the other. To break down the laws by which we win wealth is to forestall good-will; but to make these laws ultimate is to wipe out good-will. Each set of laws is to be beneficently applied within its own realm, and in constant dependence on the other set.

Muscular strength is habitually exercised in conflict with, and in submission to, gravitation. One stands erect, springs upward, runs forward, in resistance to weight, but the weight gives the conditions of tension, that against which strength rests, that by which force demonstrates itself. Take away weight, and we should loosen all firm points in muscular agility, and our admirable mechanism would instantly fail of all sufficient use.

Economics is based on wise self-interest, and wise self-interest gives us all the lines of tension that are to be bent and re-applied by good-will. Good-will is good-will because it undertakes effort in the interest of others, and because it concedes something in its own interests. Economics and ethics play against each other, and make each other effective, as gravity and cohesion on the one side, and muscular force on the other, give the interlacing actions of life. Neither set of laws can be operative without, at once, calling for the other, and ministering to it.

CHAPTER VII.

ETHICAL LAW IN CONNECTION WITH GOVERNMENT AND RELIGION.

§ 1. OUR duties to our fellow-men are quite fully covered by justice and benevolence. Justice is the recognition of all claims on the part of our fellow-men; benevolence is responding, in our action toward them, to all the incentives of good-will, wisdom guiding us alike in justice and benevolence. Justice lies in the region of debt, benevolence in that of gift. Not till the claims of justice have been met is there any opportunity for benevolence.

Claims arise from rights, and rights arise from powers. If one's circle of activities in the pursuit of his own well-being is broken in on, without the warrant of sound reason, a right has been violated, a claim of justice set aside.

The state deals preëminently with rights, and the violation of rights. Its action does not, however, aim to cover all rights. To do this would be impossible, and the effort to do it would tend to displace and supersede the activity of the individual. The state strives to protect such rights as are capable of legal definition and protection, and are also of such a nature that the individual cannot readily maintain them. The ethical field of rights covers that of civil law, and much more. Expressed ill-will, petty annoyances, injuries to feeling, unfit language, are as much within the moral law as

robbery or violence. The civil law passes them by as, for the most part, incapable of legal remedy. The adult man, by carelessness or insufficient knowledge, may allow himself to be cheated in various ways. The law of the state does not strive to correct these results of negligence and ignorance, deeming it the first duty of every man to take care of himself, so far as he is capable of it. Personal rights are only laxly watched over by the state, as its relief would often be a work of supererogation, and, still worse, would interfere unnecessarily with the liberty and moral responsibility of the individual. Legal justice is thus much more narrow than ethical justice. It involves the same fundamental principles, but limits them by two considerations: the degree in which they ought to be enforced by the state, the degree in which they can be enforced by the state. Just here arises one of the ways in which ethics enlarges civil law. Many men have a legal conscience. They accept those obligations which the state has defined and enforces, and meet other claims with reluctance and hesitancy. It is in some sense the preëminent office of the moral nature to protect these very rights, which lie beyond the shadow of the law. Morality is the penumbra of the law, as well as the inner shadow of the law itself.

§ 2. The word justice has been very closely associated with the law of the state, first, because its chief obligations are enforced by the state, and, secondly, because most of the discussions which have developed the idea of justice have been judicial. It is not easy to overestimate the importance of that ethical development which has attended on the practical administration of justice by the state. There is no continuous movement in morals comparable with that dating back to the rise of Roman law, and reaching our time in a comparatively unbroken

sequence. For depth of insight into principles, for coherence of principles, for acuteness in the discrimination of secondary differences, for fulness and variety in the circumstances contemplated, no growth in moral theory is superior to that which has taken place in law.

It was not without reason that Ulpian defined jurisprudence as "the knowledge of things human and divine, the science of the just and the unjust;" or that Cicero regarded the study of the law as derived from the depths of philosophy, personal and social.

The discussion of rights has been fundamental and untiring in law. It has proceeded from the most obvious claims connected with property and with personal safety to the most subtile obligations springing from the relation of one thing to another, as the dependence of one piece of land for access, for water, for light, on adjoining land; or of one person on another, as of the community on a public carrier. Law has not only watched over primitive rights, but given immeasurable extension to them, as in the right of bequest. There has been almost wantonness in its eager enlargement of personal power in this particular.

Property rights have always gained defence in advance of personal rights. Personal rights have been treated in the outset as a branch of property rights. An injury to a person was redressed by a fine, and the family or the community was conceived as having a kind of ownership in the lives and strength of its members. The property conception, as itself more definite, has been used to give definiteness to personal rights.

As society has advanced, criminal law has cast its protection more carefully over the individual, has looked upon the individual as less himself the seat of power and defence, and has separated individuals,—as the wife and

the child, and the servant—from the particular relations that cover them. Civil law has pushed in the same direction, and allowed ownership to attach to intangible commodities, as to a good-will or a good name. Subtile inquiry has attended on the questions, What constitutes possession? Under what conditions do rights take effect, and surround ownership, as an invisible presence of law?

The laws of evidence are also an example of this incisive thought, this careful forecast of consequences, applied to practical morals. Next to the facts themselves, morality is most interested in a safe and sufficient proof of the facts. Its hold on them is through the proof; and the mind is braced against prejudice, fortified against hasty inference, and led to carefully cover the whole field by the laws of evidence.

The soundness of the moral sense which has governed jurisprudence is in nothing more conspicuous than in legal maxims. They are numerous, broad, full of insight, and mutually corrective. They rest on the two supports of law, abstract principles on the one hand, and practical necessities on the other. These two terms, theory and practice, hold between them judicial decisions in remarkable equilibrium.

This is illustrated in the maxim, Where there is a right there is a remedy. The gist of it is that where no remedy is possible, no right will be recognized. The legal recognition of a right and the provision of a remedy must go together. Otherwise, law ceases to be positive law, and becomes pure morality, which one may or may not obey. The law confesses its duty and its own impotence in the same breath.

The maxim, Ignorance of the law does not excuse its violation, arises from a like recognition of the necessity

of the case. Ignorance can easily be alleged, and knowledge is difficult of proof. The law also recognizes in this maxim the close affiliation of legal claims with moral claims, and the duty of the subject, in each case, to be alive to them. When ignorance of the law is allowed as a sufficient plea, it is ignorance that can be presumed from obvious facts,—as the ignorance of a woman or of a child. The law does not allow itself to be involved in the embarrassments which accompany the proof of knowledge.

The manner in which the law unites intrinsic justice to ease of procedure is shown in the two maxims, An act does not make a man guilty unless the intention goes with it; Acts disclose intentions. The first maxim looks to justice, the second to ease of enforcement. If one does what is wrong in form, the presumption is that it is also wrong in intention. This presumption must be overcome by proof.

When so intractable a maxim as this, The king can do no wrong, finds entrance, the opposite maxim, equally intractable, is admitted, The ministers of the crown are responsible for all mal-administration. A most important chapter in constitutional government turns on this correction of the one principle by the other.

The wise temper of the law is disclosed in its maxims of interpretation: Words are to be so understood that the object proposed shall be attained, rather than that it shall fail; In doubtful cases the more benign interpretation shall prevail; Alienation is favored by the law rather than accumulation; The law does not demand impossibilities; Regard is to be had to the public welfare in the highest laws; The reason of the law ceasing, the law itself ceases.

A purely legal and protective disposition is shown in

the maxims, No man is bound to accuse himself; Every man is held to be innocent till proved to be guilty; A man shall not be twice vexed for one and the same thing.

The steady growth of international law is a most hopeful proof of the inherent power of sound moral principles. Jurisprudence is made to rest on reason, and flourishes in new strength and extension as the soil of reason deepens. Starting with the idea, that rights lie only between citizens, and are there very much modified by *status*, it has reached the idea, that they extend everywhere to every man, and that they lie between man and man, nation and nation, on the same eternal principles. In international law, as the law lacks direct enforcement, law and moral obligation meet on one ground.

§ 3. We may well doubt whether there is any other direction in which the principles of pure morality have been so consistently, thoroughly and successfully applied as in this direction of jurisprudence. Yet, in spite of this very important fact, civil law has been very far from perfect in doing its work. We may by no means call government and the practical administration of justice failures, for our civilization has at every stage of progress been, in a high degree, dependent on them. Yet, if we consider the three great *desiderata* in a successful application of sound law, certainty, expedition and ease, our judicial procedure has been a very grave and a very general and a very protracted failure. No one of these essentials is fairly well and frequently met. Law is exceedingly uncertain, exceedingly slow, and exceedingly costly—that is, difficult—in administration. The practical lessons which it impresses on most men are, Endure any ordinary injuries rather than seek redress from the law; Meddle as little as possible with the enforcement of law, and expect as little as possible from it. How often is

the law used as a convenient instrument of private malice; as a handy dog, kept at the public expense, with which to worry one's enemies.

Why is this? Especially, why is it, when we have found occasion to insist on the pervasively practical temper of the law, its constant tendency to aim only at the possible? Galton, in his Inquiries into Human Faculty, makes this statement: "Lord Campbell, in his preface to the Lives of the Chancellors, says: 'There is no office in the history of any nation that has been filled with such a long succession of distinguished and interesting men as the office of Lord Chancellor,' and that, 'generally speaking, the most eminent men, if not the most virtuous, have been selected to adorn it.' His implied disparagement of their piety as a class, up to very recent times, is fully sustained by an examination of their respective biographies, and by a taunt of Horace Walpole, quoted in the same preface. An equal absence of remarkable devotional tendencies may be observed in the lives of the leaders of political parties of former generations."* Galton is drawing attention to this absence of piety for ends of his own. We draw attention to the implied weakness of pure moral impulses as helping, in part, to explain the signal failure of law in the very beneficent purposes which fall to it, a failure the more remarkable because of the value of the principles which accompany its theoretical development. Law has been unfolded on its technical, professional, theoretical side, and this though the process has involved the constant recognition of practical limits of which we have spoken. In use and methods of use, it has not been inspired by benevolence. Astute intellectual powers, dispassionate justice, even-

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* Page 287.

handed administration of a subtile system, have taken the place of extended good-will. Justice, when it separates itself in administration from the wider, holier temper of benevolence, fails. The theory may be correct, possibly the more correct because of the want of any sympathy in its critical construction; but in its practical use in the community it does a very poor and imperfect work. Obscure, complex and slow, it drags its painful length along to no beneficent end. The well-being of men in practical jurisprudence has all along called for a fresh development of the simple impulse of good-will in those who have the law in hand—a temper prompting a more tender and direct use of means for the very comprehensive purposes before them, and a constant adaptation of methods to the very plain, instant, urgent wants of men at large. The undue hold of professional sentiment, the force of legal custom, eager interest in an intellectual tournament, and pride in the symmetry of a system, should all be softened by virtue, a heedful response to human happiness. Justice fails when those who administer justice to men are not entering into the full circle of human experience. Less astuteness and more beneficence would make far wiser men.

The ability and astuteness of the chancellors of England have not prevented their devising and enforcing methods in which many of the highest interests of society have been hopelessly entangled. A little more beneficence would have been productive of much more fortunate and safe results.

§ 4. The improvement of government should come under the clear, moral reason, sustained by common sense and wide experience. Among the gains of thought should be the effort, first, to make law simple and clear in form, and easy and direct in execution. No gains in

these particulars should be despised. As now constituted, civil law in English races is composed of two very independent and very unlike elements, customary law and statute law. These are heterogeneous, and more or less conflicting, terms. Reason and conservatism are on the side of judicial law, unreason and radicalism on the side of legislative law. They strike into each other much at random, with little breadth of view or concurrence of end. The statute may be undone by the decisions of the courts under it, and the decisions of the courts may, in an unduly conservative temper, fail to meet existing exigencies. Courts, professionally and historically slow and cautious in movement, are still further delayed in reform by the weighty fact and portentous phrase, "Vested interests"; by an unwillingness to give an increasing sense of insecurity to law, and by the danger that a decision, sound in itself, would yet fail to be followed, and so to become law.

Legislation ought, if possible, to be the product of broad, sound, progressive, judicial sentiment; and such sentiment ought, if possible, to be able to declare itself, and to pass speedily and easily into law. The legislature is bold in its ignorance, and the courts are timid in their knowledge, and each must be so from the nature of the case. Thus the government goes forward limpingly on legs unequal. A codification of law, a modification of it in principle and in practice, in reference to greater serviceableness ought to proceed under the direction of clear, well-trained judicial minds, and at the same time with the prompt and peremptory authority of a legislature. Counsel and action which have fallen apart should be reunited. Nor, if this end were once distinctly proposed, would there be found any great practical difficulty in accomplishing it. The insight of the court-room and its

mastery of principles are now in a large degree lost, while the well-meaning facility of the legislature is made to increase the general confusion. The conservatism of the courts is inseparable from the courts, and the ignorance of the legislature is inseparable from the legislature. Both the experience and knowledge requisite for the improvement of so extended and so delicate a system as that of civil law are necessarily wanting in the promiscuous assemblies of legislation. The courts, on the other hand, when, in the discharge of duty, they approach a commanding outlook of principles, and have an extended forecast of possible reforms, with stern forbearance pass them all by, and allow them all to sink back into darkness, scrupulously confining their attention to the precise point before them. If the law is to become a simplified and progressive system, one rooted in the knowledge of the past, and at the same time sensitively cognizant of the wants of the present, this result must be reached by a better union of judicial counsel and legislative action. We shall thus turn unreason into reason, and reason into good-will.

§ 5. Law must aim, under the moral sense, not only at justice between citizen and citizen, class and class, as the state finds them, but also, as a second effort, at a perpetual renewal of all the conditions of free, full, fair action between men, as these have been narrowed or unfavorably altered by the successes and defeats of the past. It is not enough to give a man what he actually wins, it should be the aim of law to restore in each generation, at all points, relatively equal terms for winning what the world has to offer. Defeats are not to be permanent, losses remediless, through successive generations and between fresh competitors. The whole drift of law, therefore, must be corrective of the over-

shadowing power which so easily falls to a few, and restorative, with unwearied watchfulness, of the conditions of hopeful labor to the masses of men. If opportunity itself is not protected, it is a small matter for many men that the gains of opportunity are cared for. It is the tender germs of effort that call for safety more than the later procedure of stalwart men. Yet law is very likely to give its chief protection to those who least require it. If it is well that justice should be blind as to narrow, personal interests, it is most needful that she should have a wide insight into interests as they are combined in the general welfare.

Government, enlarged in its purpose by the moral reason, should see and feel that protection and growth are inseparable. To secure growth is to offer the most complete protection, and protection is chiefly valuable as a condition of growth. The citizen who is helped in successful effort will soon make but slight claims on protection, and one who is left in adversity will render protection burdensome and unproductive. The cheapest and most effective way to protect state against state, class against class within the state, is to provide the conditions of growth. Strong, living forces anticipate disease; feeble forces contract it, in spite of all formal remedies. A state, therefore, that builds itself up on the doctrine of protection, narrowly applied, is sure to fall into every form of chronic weakness, and to find the core of its effort to be the laborious cure of evils by houses of correction, poor laws, and punishments. Aid is not to be attacked because it may be unwise aid, or oversight because it may be injudicious oversight. Wise aid and judicious oversight may still be most profitable in giving the best social, economic, civil conditions for the development of all classes; in spreading knowledge and enter-

prise through the entire community. This, and not mere protection, is the proper aim of civil construction. Mere protection is one of those purposes that perish by virtue of their own poverty, as all correction fails that is simply renewed punishment. In all wisdom there is a large diffusion of benevolence as well as of justice. Neither justice nor benevolence can maintain its highest power without the other. The history of the world abundantly confirms this statement. Justice without good-will becomes a hard, dry technic, that misses its end in reaching it.

The sentiment of our time sets strongly in favor of individuation. Many are willing to reduce the powers and duties of the state to their lowest terms. The movement is reactionary, and shares the excess of reaction. It is willing to let great and beneficent powers that belong to combination lie dormant; powers which may be exercised not only in consistency with individual liberty, but in furtherance of it. Moreover, much of the reformatory legislation that is urged upon us lies strictly within the narrow limits of protection. The weak and the poor have greatly lacked protection at the very points at which it is most needful. The wiser forms of legislation are not to be set aside by a general formula, affirming excessive legislation.

§ 6. It remains to consider the relation of morality and religion. We need again to be reminded of the very broad meaning in which the word morality is used. It stands for all fruitfulness in guidance of the moral reason, exercised toward questions of conduct and character. The spiritual order is ethical, that of mind with mind, heart with heart; that of rational life under the terms of that life.

The ethical idea more immediately and frequently

found working its way in religion is that of benevolence. We need not, for our present purposes, carry our discussion beyond the Christian system. The higher religious impulses of the world are so swallowed up in this faith, and find such pre-eminent expression in it, that it may easily stand for the best phase of religious movement. The renovation needed in other forms of faith is too manifest to be urged. Looked at from a moral point of view, there is no other such influential sentiment in Christianity as that of benevolence—good-will within and without the household of faith. Many forms of benevolence sprang at once out of Christianity, have accompanied its history in its darkest periods, and have attended upon it in increased variety and productiveness in its modern forms. Yet benevolence in the Church, as a principle in morals, has not been developed in the same coherent, laborious, thoughtful, consecutive way in which the allied principle of justice has been unfolded in the state. The movement has been more broken, less continuously progressive. Indeed, it suffered in the middle ages retrogression, both in the purity of its spirit and in the wisdom of its methods. Alms-giving became a supererogatory work, and was often performed with very little consideration of the real advantage of the recipients.

The reasons for the slower development of the law of benevolence are obvious. The natural order of sequence is first justice, then benevolence; and under the wants of the state, a steady and continuous pressure is maintained in behalf of justice. The second commandment of love requires a very broad and very deep and very wisely interpreted experience for its just unfolding and safe application. A measurably correct idea of character, a sound, social ideal, and rich and voluminous affections must be present to direct and sustain this command.

Social experience is gained slowly, and calls for infinite enlargement and correction in details. Social science is supremely the seat of wisdom, and makes the largest possible demand on insight, inquiry and good-will. While the first command of love toward God gives the most needful impulse to obedience, to the second command, love toward men, the full force of this impulse will not be felt till we rightly conceive the divine character. This character, in turn, is to be disclosed to us very largely by a deep penetration of the moral temper and government of the world. Wise benevolence is thus the consummation of human thought and affection, and is to be looked for only as the final fruit of long and patient discipline.

Yet, in spite of the superficiality of the underlying feeling in the benevolence of the Christian Church, in spite of the frequent unwisdom of its methods of expression, it may be doubted whether this charity has not gone more directly to its end, the amelioration of society, than has the unsparing justice of the state. The spontaneity of the virtue of benevolence, its tender sentiment, have elevated the minds of men, and borne forward their steps, quite as much as the cold correctness of principles in legal procedure.

Whatever may be thought of the exact balance of advantages between these two forms of growth, justice and good-will, it is very plain that the benevolence of the Church has lost much from failing to recognize fully and broadly the principles of justice which should underlie its own gifts. Charity that does not rest on justice in many ways undoes itself. While there is no law higher, or of more constant application, than this of helpfulness, it must be made to supplement and not to suspend the still more fundamental law of self-help. He that will not

work shall not eat, gives us, as a concise assertion, a shore line in all spiritual topography. If we sin against this law of justice we rub out and abolish all boundaries, equally of justice and benevolence. Benevolence that is permeated with the sentiment of justice is, in its wisdom and practical beneficence, at a very far remove from the sudden good-will of a simply sympathetic mind. The partial failure of the benevolence of the Church, and its want of steady growth in this benign temper, have been due to a failure in moral insight, in a mastery of the principles which bind men together in society. The moiety of morality, that of good-will, which has fallen to religion, like the other moiety, that of justice, committed to the state, has been delayed in development, and has in part miscarried, because of the want of a thoroughly coherent moral movement in the minds of religious men.

The demand in anything like an ideal state is, that there shall be no well-directed labor without a suitable reward, and no reward without corresponding labor, labor and reward alike having reference to the common weal. Reward should be uniformly the stimulus of labor. Excessive rewards at any one point and the consequent deficiency of rewards at other points enfeeble industry, and set all its impulses at cross purposes. It is a primary office of good-will to keep the incentives of labor sound and wholesome, and so to give the laws of protection beneficent operation. Benevolence does not suspend economic forces, it gives them full sweep.

§ 7. When we charge the Christian Church, during its long and, with all its failures, most beneficent development, with marked deficiencies in morality, it is of the utmost moment that our exact meaning should be understood, otherwise we shall do little to correct the evil. We believe the spirituality, rationality, morality of the

words of Christ to be complete. We believe it, because these words, fairly and broadly interpreted, seem to us to open the very fountains of individual and social life. We know nothing, in this direction, above them or beyond them. We seem to have seen the sun, and the glory of it is very great. Our vision is filled and flooded by it. We ask for no more light, and we can use no more. Our ultimate ground of acceptance is the joy brought to our own lives and the life of the race. This is the satisfactory ground of faith, and while it is far more excellent than any other, we believe it also to be more sound than any other, and as truly humble.

That which we speak of in Christian faith as having been immoral is not, then, the words of Christ, but the convictions of the Church concerning them, and its method of use in successive generations. The Kingdom of Heaven is not framed at once, any more in theory than in practice, nor by any one branch of the Church. The gospel men are dealing with as much transcends their conception of it as do the actual facts of the world the statements of them at any one time current among us. When we criticise science we are criticising the conclusions which stand with us for science; we are not criticising the facts of the universe. When we criticise the Christian religion we are, in like manner, inquiring into the justness and sufficiency of the way in which the Christian Church has rendered the mind of Christ. We are striking for the truth and not against it; we are listening to the Master, not turning from him.

With these limitations steadily in mind, we have no hesitation in saying that the Christian Church, in every period and every phase of it, has contained elements of immorality which it has had occasion to discover and cast out. Indeed this was inevitable; and without re-

proach, when suitable activity in correction has accompanied the evil. We will pass in rapid survey a few of these anti-spiritual phases of thought in the Christian Church.

The Christian Church has been, in very much of its development, intolerant of free inquiry; at times it has been intensely intolerant, and it still retains something of this intolerance. This is a very profound sin against morality, the freedom of spiritual life. There is no more fundamental right in that life, no more weighty duty laid upon it, than the right and the duty to think, to use our powers under their own laws. This primitive possession from the hand of God, the Church has striven to limit, and even at times to take away. This is to be intensely unjust, and intensely immoral. The one claim and right of moral life—of rational life—is to be thoroughly rational, to have the full liberty of thought. It allows no human being by way of obtrusion to enter the soul's inheritance of truth, and of action under the truth. The Church has missed this moral principle and missed it strangely. It has been compelled to assert it in one relation while denying it in other directions; to assert it for itself collectively while withholding it from the individual; to concede it to leaders while withdrawing it from disciples. Thus the Church has fallen into the most immoral of all principles, the essential inequality of human rights.

This intolerance in part sprang from the conviction—and has helped to confirm it—that religious doctrines may be framed into a comparatively complete and unchangeable system of truth. This conviction, in view of the vast variety of Christian beliefs, is very uncharitable, and, we must also think, very stupid. The practical immoralities to which it has led are seen, not simply in the

persecutions which have accompanied it, but in the many forms of oppression and wrong for which atonement has been found in preaching the gospel. Thus the Spanish hidalgo carried into the New World the offer of salvation in one hand and utter ruin in the other. A mysterious and superstitious power was assigned to a formal acceptance of faith, quite aside from any hold it might have on the thoughts and affections. This is the absolute subversion of godliness. A community is made to thrive on faith and on slavery and every form of tyranny at the same instant. A certain strength of orthodoxy has been found in our Southern States not common in the North.

§ 8. The spirit of asceticism, which has at times so prevailed in the Church, is plainly, in the broad sense of the word, an immoral one. It fails to recognize either the true direction, or the true conditions, of individual and social growth. It turns from the world about us, and puts itself at war with it, instead of uniting with its disciplinary, corrective, constructive forces in that common work, the Kingdom of Heaven. When this spirit becomes not simply one of self-denial, but of self-torture, inflicting gratuitous sufferings of every degree of severity, it misconceives everything—the character of God, the constitution of the world in which we are, and our own constitution; the nature of virtue and our relations to our fellow-men. A fever is not more unlike the warmth of health than is the disturbed, excitable temper of asceticism unlike the cheerfulness and repose of righteousness. The partial and figurative antagonism of the pure mind to the world, in some of its sensuous phases, is made to stand for a deep, literal fact, altering the entire character of human life, and putting it on an artificial and fanatical basis.

Its effect on the conception of God is seen in Dante's Inferno. The ingenuity and invention of the poet, with a magnificent stretch of power, are put to the task of following Omnipotence in the device and infliction of varied and extreme tortures. Few creations more thoroughly degrade the world into an arena of pain and pleasure than do the poems of Dante.

Its effects on practical morals are shown in the marked unbelief and sensuousness which have accompanied its development. In Italy especially, irreligion, superstition and vice have flourished side by side with asceticism. The two have stood in mutual reaction. The same relation is somewhat less observable in Spain. Such a character as Philip II. was the product of this severe, cruel temper, whose personal piety was one of rigorous rites, and whose charity was heartless exaction.

Asceticism led to the celibacy of the clergy. This became a ready instrument in sacerdotal authority, and a constant occasion of gross immorality. Herein the divine order of society was contemptuously set aside, and a most artificial and peccable relation put in its place. We have in this canon a broad, practical and permanent mistake, in an open field of morals, individual and social. "By enforcing celibacy, fasting and solitude they—religious teachers—have done their best towards making men mad, and they have always largely succeeded in inducing morbid mental conditions among their followers."* This accusation may be softened but cannot be overcome.

The confusion which the moral sense suffered from its affiliation with religious ideas is seen in the trial by ordeal, which prevailed for many centuries under the di-

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* "Inquiries into Human Faculty," p. 68.

rect sanction and supervision of the Church. Mercy, and justice, and common sense were alike sacrificed by it. A blind appeal to divine intervention was made to take the place of a just use of the powers of inquiry. These things are offered, not so much as grounds of censure, as grounds of instruction, simple facts whose entire lesson we have not yet exhausted. It is every way unreasonable to expect a pure, perfect development of religion from the very beginning,—and peculiarly unreasonable in those who regard religion as an evolution more than a revelation—but we must see and admit this fact of great and constant error, if we are in turn to make the progress we ought to make.

§ 9. A secondary example in the past of missing moral truth is offered in the rite of baptism, regarded as one of purification, and deferred till late in life. Instead of an aid to virtue it was thus made to take the place of virtue; a result not uncommon in religious dogma. Men, in their use of Christianity, thus failed to enter on the first principles of a spiritual life. Such discussions as those involved in transubstantiation indicate a darkening down of moral vision that approaches absolute blindness. The religious idea, instead of reflecting light, stands in the way of light that might otherwise reach the mind. All ordinary evidence, all familiar methods of thought, the testimony of the senses, are set aside, and the truths of the spiritual world are subverted by subverting the rational foundations on which they rest, and are escaped by closing against them the ordinary avenues of approach. Everything fantastic, absurd, superstitious, can now find entrance. The doors are wide open to vagrant, dust-laden winds. Reason and unreason are confounded, and all distinction of method between them is lost. Society, as the home of thought, of pure and ex-

alted affection, cannot be built till the foundations of truth are relaid in sufficient and practical proof. The Stoics may well have felt that they could discuss more soberly and wisely many social questions than could Christians. What these gained in good-will they often lost again by some strange obscuration of the intellect.

§ 10. When we come down to our own time, it is easy to indicate corresponding failures, though less in degree, that are still with us on the side of unreason. While we are far more tolerant than our ancestors, we let go, with great reluctance, the element of authority in religion. In the last resort, we transfer it, by the doctrine of inspiration, to the Scriptures. A doctrine of inspiration that in any degree bears down the reason, the moral insight, is immoral. Reason is the citadel, the soul of morality. The proof on which this doctrine is made to rest is unusual and insufficient. It is unusual, because no men and no writings can be allowed, by their own testimony simply, to establish their inspiration. It is insufficient, because the Scriptures do not testify to their own inspiration in any of the more precise and severe forms in which the doctrine is held. In the last analysis, inspiration, as a power to constrain assent, is the personal conviction which some one man or body of men is using to overbear the free consideration of the truth by some other man or body of men. If a full appeal is made to reason, we need no dogma of inspiration, and can make no use of it. Inspiration will stand with us for the lively, successful action of the mind toward the truth; will be sought by us for ourselves, and when recognized by us in others will quicken, not suspend, our own inquiry and insight.

Our freedom in the use of the Scriptures, and our unimpeded access to their overflowing fountains of spiritual

truth, will be very much modified by a doctrine of inspiration, which makes of it a determinate and strictly supernatural impulse. For example, in Jacob we find craft and selfishness closely interlaced with his religious convictions, so much so as to decidedly vitiate them. The blessing of his father, Isaac, which stands for the blessing of God, can be won by deceit. At the foot of the ladder of vision, his promise to serve God is of the nature of a trade, and is conditional. If God will be with me, and will keep me in this way that I go, and will give me bread to eat and raiment to put on, so that I come to my father's house in peace, then shall the Lord be my God. The ingenious and crooked ways by which he outstrips Laban are fearlessly included in the divine purpose and plan. There is in this nothing unexpected, nothing unnatural, if we look upon the narrative as simply true to human nature, but it leads to instant distortion, if we regard this religious life as just and complete in theory or practice.

The pressure of inspiration also greatly intensifies the passing phases of religious feeling, and turns them within each denomination, and in their own narrow circuit, into a tyrannous conventional sentiment. They are imposed more or less blindly on those subject to them ; a sense of wickedness accompanies any want of them, or any resistance to them. In the later history of the Jewish Church, this tyranny was so extreme as almost to preclude individual thought. Such terms are most unfavorable to fresh and progressive moral inquiries. Religion under them is constantly appealing from reason to authority, while morality must ever appeal from authority to reason.

§ 11. Closely allied to the dogma of inspiration is the use which Christian Churches are still making of the

supernatural. We refer to those phases of it in which the divine aid is made, in some extra-empirical way, to take the place of effort, or to supplement it. However strongly we may hold fast to the pervasive and most helpful presence of God in the world, it is a belief that must be accompanied by an equally firm and earnest hold on natural laws, on the permanent and wise methods, physical and spiritual, under which alone the divine plan proceeds, and the divine aid is granted. To look for help, aside from the system of discipline, of which it is a constituent, is to subvert that discipline, and to break with the moral law. The physical conditions of well-being and the spiritual conditions of growth are to be inquired into and accepted, and a supernatural that works beyond these terms of experience, fully interpreted, is present in subversion of them, and is immoral. There is no half-and-half reception of reason and moral law.

Conversion, when it is looked upon as a sovereign, reconstructive act of God, breaks up the very foundations of morality, and contradicts deeply and widely human experience. Prayer, except as it is held close under the wing of endeavor; the doctrine of the Holy Spirit, except as that Spirit is one of insight and love in every heart, fall away from the spiritual, moral life, and put upon it more or less of strain and distortion. Men become as innocently perverse in their religious experiences, as partial in their visions of truth, as was Jacob, and beget their children after them in the same spirit of craftiness.

The candid, truth-loving temper has often been lost to faith at this very point in its discussions with science. Large, ethical life demands nothing more peremptorily than the truth-loving mind. Where science and religion

have fallen into conflict, the advantage, in this particular, has often been with science. The religious temper has not been truly, deeply ethical. It has not broadly sought the truth, nor quietly submitted itself to it. It has prejudged questions, in themselves new, and of great difficulty. There are reasons for this hesitancy, yet it enables one like Galton to say: "The religious instructor in every creed is one who makes it his profession to saturate his pupils with prejudices." "Free inquiry is peremptorily discouraged." * Much as we may justly say to correct and modify this statement, there still remains in it a very uncomfortable truth.

Says a very bright writer, Dr. Martineau, of Malebranche, "His ecclesiastical training had done nothing to spoil his pure and open spirit of truth." † This still needs to be said of those who take up philosophical questions from the religious side. Theological training tends to narrow and deepen the channels of thought.

The religious spirit easily misses that earnest, quiet, reposeful inquiry which is so essential to just conclusions and sound morality. Faith obscures the force of natural law. Often, as in revivals, it leads men to do in an unsober and superficial way a most sober and profound work. It reasons hastily and narrowly. It inquires, as in the story of Jonah, not what God is wont to do, but what, as omnipotent, he can do. It is not content to walk wisely with God in the world, as he makes it and rules it. It is constantly expecting some sudden change to be put upon things, some sudden lift above the laws of morality into a purely supernatural realm.

The religious spirit is, in each sectarian phase which it

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* "Inquiries into Human Faculty," p. 210.

† "Types of Ethical Theory," Vol. I., p. 155.

assumes, strongly bound by customs and preconceived convictions. It is very slow to rise above its own creed in clear, careful, bold criticisms. We can give the causes of this fact, but they are causes only, and not sufficient reasons in the moral world. It is because the religious world is only partially moral that these things happen. Reforms of the most imperative character meet with hesitating and wavering support from churches, and sometimes encounter bitter opposition. The religious mind is not free from the average obscurity on these questions; it meets them with no supreme moral temper. Most of the social questions of the last hundred years have brought nearly as much discredit as credit to religion, so little have Christian men fathomed the principles involved in them. And this has occurred over and over again, and is still occurring.

There has been a positive disposition to separate between religion and morality, and to antagonize the two. To be sure, the morality under discussion has been a narrow, formal one, and not the large law of life that we designate by the word; yet such a narrow definition ought never to have been given, and such an opposition should have been profoundly impossible. This conflict has been thought to appear even in the New Testament, and has reappeared in the entire history of the Church. Religion should have been able to recognize and claim its own, at once, everywhere. It should be impossible,—that is, our intelligence and good-will should make it impossible,—for religion and morality to pitch separate camps, and marshal disciples in hostile array. When our great rebellion broke out, though we can never hope the drift of moral forces to be plainer than it then was, we found the devout on either side. The saint, Stonewall Jackson, led the forces that stood for human slavery.

It thus happens that we are constantly meeting with earnest religious minds, whose zeal is directed to questions quite secondary, if not positively trivial. Men devote themselves with life-long effort, and with a discussion that easily becomes bitter, to the form of baptism, or to the day of the week which should be observed as the Sabbath. They lose the sense of proportion in the moral world. They are busy in tithing mint, anise and cumin, while great moral questions are passed by almost unheeded.

It may easily happen, as it does happen under these circumstances, that working men, hard pressed with the toils and dangers of life, take but little interest in religion, many of whose tenets are so obscure, and whose persuasives are often so supersensual. The truths offered are too remote from their daily life, and bring too little relief to it. They are not ready to separate between the gifts of another life and of this life, and take the former in exclusion of the latter. This dislike, which has a touch of truth in it, is greatly increased, when they see certain classes of Christians occupied in luxurious expenditures, in oversight of the claims of good-will, and appropriating the blessings of this life as unhesitatingly as those of another; splendid religious edifices at a stone's throw from unrelieved want and unassuaged sorrow. Contradictory facts of this order; a law of life that fails to take the hardship and bitterness out of the life which men are actually leading; the sumptuous possession of the world, and a consolation offered to the poor which turns on a denial of the value of the world—these are problems too difficult for the solution of narrow, practical minds, and working men fall off from them in very weariness. They have, in truth, had no fair chance at

these enigmas of life, over which wiser men stumble, even when the immediate stake is much less.

Facts which, in the average Christian, admit of so disagreeable an interpretation, gain still more painful expression in persons who hold religion in the left hand, and grasp remorselessly at the world with the right hand. Says George Eliot, "Tim was 'a religious man' himself; indeed, he was 'a joined Methodist'; which did not (be it understood) prevent him from being at the same time an ingrained rascal." It is not hypocrisy that is here emphasized, but the utter loss in the mind of the true relation between religion and morality. This loss, in one degree or another, is very common; hypocrisy is uncommon.

That this confusion, superficial and needless as it is in itself, runs far and wide and deep, is sufficiently seen in the fact that it misled so earnest and penetrative a mind as that of George Eliot. "I say it once for all, that I am influenced in my conduct at the present time by far higher considerations and by a nobler idea of duty than I ever was while I held to evangelical beliefs." * Yet she was not able to rescue religion in her own mind from these misconceptions, partial views and unfortunate associations which weighed it down, and this, too, when the highest, most pervasive and tender temper of love and duty was still with her. "Let this mind be in you which was in Christ Jesus. I believe the amen to this will be uttered more and more fervently among all posterities forever more." †

§ 12. This division between religion and morality, this collision between them, are not the result of secondary

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* "Biography," Vol. I., p. 115.

† Ibid., Vol. I., p. 118.

error, but of a very grave misdirection of the religious spirit. It has devoted its strength to the inquiries concerning certain speculative dogmas. It has reached conclusions in these directions which it has refused to submit freely for correction to science, or a wise sociology, or a wide-reaching philosophy. It has not developed its doctrinal systems side by side with an equally earnest and extended benevolence, and allowed the one to interpret and instruct the other. Its dogmas are no more those of common life than they are those of wide thought. The history of doctrines,—that is, of speculative and uncorrected thought—discloses much astuteness, much zeal, much force of life; but it also discloses precisely those errors and failures to which the theoretical, unaccompanied by a correspondingly wide, practical outlook, is ever exposed. Original sin, fore-ordination, conversion, justification through the blood of Christ, salvation as the gift of God, the trinity, are largely the products of a logical process,—always tending to barrenness when unfructified by a living experience—and once shaped as beliefs, may easily be used to overlie and smother both the intellectual and the spiritual life. A discussion of these doctrines, divorced from the immediate well-being of men, begets acrimony and intolerance, and subverts the spirit of piety as one of love. "Religion seems often to have inflamed the worst passions of our nature,—pride, ambition, cruelty, rapacity." The councils of the Church, says Milman, are "in general, a fierce collision of two rival factions, neither of which will yield, each of which is solemnly pledged against conviction." *

The Christian Church, unlike the state, has failed relatively on the theoretical side, and prospered on the prac-

* "Latin Christianity," Vol. I., p. 227.

tical side. In spite of all doctrinal bitterness, subtilty and remoteness of thought, much love for men, many forms of charity and much tender and redemptive sympathy, have been born of Christianity, and renewed its power in each successive generation. This has been the mind of Christ. These acts of love have been the glad tidings of good-will, the gospel of all time. If every creed, as a creed simply, were swept from the earth, there would be some intellectual loss, but comparatively little moral loss. We sometimes say the sun has burned away the clouds. The light and love that are in Christianity will consume the mists and clouds that have gathered thick and settled low in its intellectual development.

The true growth of religion, its deepest, most central line of development, is practical, moral, toward the Kingdom of Heaven. Life directed, enlarged, corrected by spiritual ideas, this is religion. If we state it on the practical side, we have the religion of St. James; if we state it on the spiritual, impelling side, we have that of St. Paul. But in a holy life, in a pure society, as in all products of high art, the steadying, restraining, conditioning term is form. We must, first of all and deepest of all, have a life, but it must be a life hidden with God in Christ, hidden in the Kingdom of Heaven. The failures of religion have been chiefly due to this very separation of the inner and the outer, life and the form of life, religion and morality. This is seen in the slowness with which a moral view—that is, a practical view, one in harmony with the world—of the atonement has been reached, and the reluctance with which it finds acceptance. The inner and the outer have not been made to coalesce.

All reformatory periods, all epochs of renewed energy have been those of moral renovation, not of doctrinal

discussion. No disputes, no discriminations have ever saved the Church. Truth, regenerative of life, has been, and ever must be, its salvation. A beneficent life, wisely guided by daily experience, and nourished within by the broadest, most flexible, most expansive ideas, this is Christianity, the mind of Christ incarnate in man. Thorold Rogers, commenting on the work of the primitive Methodists and the Lollard Bible-men, says, "I believe it is true, that all successful religious movements have aimed at heightening the morality and improving the material condition of those whom they have striven to influence." * "A religion divorced from morality is the worst curse that human societies can be called on to bear." †

Religion must be a free, plastic, progressive, versatile life, ever embodying itself in new forms as the ages unfold. The moment it stiffens into organization, and settles into final statements, the ages begin to struggle with it, to shake it off, and to leave it behind.

§ 13. This criticism of religious development may very easily seem harsh and narrow. Taken wholly by itself, it is so. Very numerous and very important qualifications may well be made. Many will be found ready to make them. The danger is that these abatements will extend, in the minds of some, at least, farther than they of right ought to extend. We have pointed out a real error and failure in religious life. The occasions of it are another thing; but whatever they are, they do not alter the fact of failure and error. The comprehensive expression for all these causes is the narrowness of the human mind, and the slowness of its upward movement. While we

* "Work and Wages," p. 516.
† Ibid., p. 382.

readily recognize this inherent necessity of the case, due to feeble powers, we must not cease to see that it, like all limitations and evils and sins, is the very thing to be overcome, and we must set ourselves to the task.

In connection with the tardiness of the human mind in achieving spiritual progress there comes its inability to lay hold of truths, except singly and in a certain order of sequence. Truths that mutually qualify and support each other are attained by a rhythmical movement, which gives strong emphasis first to one, then to its opposite, and is able but slowly to present them both, in their reciprocal and corrective force. A good illustration of this oscillation of growth is found in the two ideas of law and love. Law must be deeply implanted in the human mind before it is prepared to understand the direction or limitations of love. Love is little more than a flimsy passion, a self-betraying impulse, till the whole constructive outline of spiritual order is known and profoundly felt. Love, without insight, precipitates failure, and plucks it down in the most discouraging form.

Under this relation, law, judgment, justice, were the ideas first implanted in the religious consciousness, and thus the thoughts of men rose later and more safely to the altitude of the divine love. But men are slow to correct a previous notion by a subsequent one, and find much difficulty in their mutual enlargement and limitation. The notion of law with which the Christian Church was chiefly occupied was that of civil law, of which they had before them an admirable example in the Roman polity. Civil law suffered but little change in its principles in giving rise to canon law, and human law became the type of divine law, and of man's relation under it to God, the Supreme Ruler. The love of God, even redemptive love, was thus bound down to the conditions

of human government; was not at liberty to enter into the largeness of the divine knowledge, the completeness of the divine resources, the masterfulness of the divine government. Only slowly could men recognize the creative energy of the divine love, enabling it to cast off the dead punishments of a comparatively impotent human polity. We still have difficulty either in rising into the divine love or, rising there, in accepting the comprehensive limitations of wisdom which outline and restrain this love. The succession and force of these ideas are disclosed in the very revelation of God. God is first and chiefly the creator and ruler. He is later declared in the tenderness of a father and in the love of a savior. Last of all, he becomes a pervasive, quickening, living presence in each mind and in all minds. The latest formula is, we live and move and have our being in God.

The disposition of the religious mind to linger in the narrow and personal and civil conception of the divine character and government, and its reluctance to pass over to the broad, spiritual, universal conception of our relations to him, have been one of the causes operative in the unusually broad and well-reasoned scepticism of our time. Science has laid new stress, and wise stress, on its portion of the divine plan; to wit, physical law. The Church has not been able to bring forward, with equal clearness, the corresponding conception of moral law, spiritual law. It has had only more or less untenable and humiliating notions of the divine being and government to offer. It has found them in a misrendered Revelation, and not in the Universe of God. The only conception which can really be united with commanding authority to that of the physical universe which science has unfolded, is that of a moral, spiritual universe equally broad, equally certain with the physical universe, and lift-

ing all into the light of ideas, and animating all with the life of God. Religious thought in part failed to contribute its share of the growing interpretation, and so faith has suffered an eclipse. The mighty plan is outlined, but no sufficient divine light falls upon it.

In two fundamental particulars, the weakness of moral ideas in the Church has been disastrous. We have failed in consequence of it to understand the presence of God in the world, and so the proof of his being; we have missed the true form of the love of God, and so again have searched more or less in vain in the world about us for this his essential attribute. Science shows the world to be complete within itself. It gives no room for any superior, outside presence, any formation which is not the inner power of construction. Thus the proof of the being of God must be found, if found at all, in the inner rationality, morality, spirituality, of the world itself, in its double terms, physical and mental. If there is a soul of reason running all through it; if there is a spiritual law which pervades all laws and is supreme in them and above them; if man finds himself truly at home in the world, as a realm animated with inspirations kindred to his own, then he discovers the presence of God, and for him God is, with much the same certainty with which he himself is. But any loss of the divine law of life in the world about us darkens down everything. The world may be beautiful, it may be animate everywhere, but the night is approaching, and we see it no longer. The still spirit of rational law must be with us each moment, or we lose life and lose God. We know not where he is, or what he is about.

For a like reason we have missed his love. Why these outcries of pain, why this universal suffering! The patient, creative temper of love can alone explain them.

First power, then peace; first vision, then the delight of vision; first life, then life purified and filled full of pleasure; this is the order of ideas. This is the way in which God's eternal, creative love is now expending itself, as a tender, brooding spirit of power. We must understand it in this way or miss it altogether. No corrections and caressing fondness can expound it, or fill its dimensions. The spiritual universe, and what God is doing and feeling are all one, and this revelation it was which religion, as the high-priest of nature, should, standing side by side with science, have been able to offer as an experience equally certain and far more profound than that simply of physical law. When the ills of discipline sink quite into the background, and its grand results rise before us under the still spirit of law and the creative spirit of love as a universe, unbelief passes away; we are in morning light, and need none to tell us what we see and feel. We have found God.

The Church has been fortunate in the impediments it has met, and the attacks it has suffered. If it had had more authority, it would have bound its own hands more closely with systems, rules, regulations; it would have built heavy, immovable, unchangeable structures on the soil under its feet. If it had suffered less attack, it would have seen less quickly its own inadequacy. There is only one word that gathers all and explains all—growth. We should have no hope of immortality and the years of God on any other terms. It is not, perhaps, strange, the secret affiliations of things being considered, that the earnest study of physical law has often given the basis of a morality so cogent and clear as to be fitted even to rebuke religious thought. The world, looked at as it is, even on its physical side, is more corrective of error, more suggestive of wise action, than conceptions which, by a

simply logical process, have been allowed to run away with the mind. All revelation, all light, should fall on the universe about us. Reflected from it, like sunlight from green fields, it is filled with color and life and inspiration. Morality gives the outer form of action, which we are to fill and vitalize with the spirit of truth, the spirit of God. The struggle in the reconciliation of form and substance is a most common and difficult one.

CHAPTER VIII.

SOCIAL PROBLEMS.

§ 1. WE should now be somewhat better prepared to consider some of the problems that are pressing upon the advanced forms of society for an immediate solution. No one of them is of more intrinsic importance or of wider relations than that known as the rights of women. It involves an effort to extend the opportunities and activities of women in two directions, in the line of diversified industries and of social action. Most concede the fitness of some extension in one or both of these directions; comparatively few are willing that all restraints of law, and every restraint of custom not based on morality, and common in principle to both sexes, shall be removed. No question can be more vital than this, as it pertains to the right of each one to the full use of all the powers which belong to him, so long as their use does not directly or manifestly interfere with the welfare of society. The discussion of restraints, aside from the powers restrained, is idle. If women have no larger powers than those which now find exercise in the industrial and social sphere assigned them, the removal of restraints, so-called, is a matter of indifference, and the debate concerning it an empty conflict of words. Any change would, under this supposition, be purely nominal. The question involves, then, the right of society to restrain the free exercise of the powers of the individual, without a reason plainly and deeply grounded in the common life.

It will hardly be denied that women manifestly have the powers that would enable them to enter on a wider activity than now falls to them, and that that activity in turn would rapidly widen the powers which, by their very presence, are leading women to seek a field for their exercise. The evils that are anticipated from the grant concede, for the most part, the existence of the powers which are to give rise to them. It is also evident that the sentiments and laws which now restrain women are not plainly and deeply grounded in our common life, but have sprung up in connection with very variable, complex and unjustifiable feelings, and that they still, more or less, rest on these same blind, customary sentiments for support.

Women, a portion of them, are pushing for the conditions of a larger life, and a more complete control over the life already theirs. More knowledge, more use of knowledge, more power over the common resources—common to men and to women—of social and civil well-being, these are the high desire and the truly wise demand. Certainly there can be no more intrinsically fit claim, and it must be turned back, if turned back at all, not merely by a proof of some mistake in prosecuting it, not by a fresh array of the sentiments that belong to customs ready to become effete, but by a plain showing that the effort is immediately dangerous to society. The claim is a large one, and must be met in a large way. What this or that person feels does not touch the bottom of this question.

There is no more fatal concession than that which allows one portion of a community to settle the appropriate aims, ideals, efforts of another portion. It is the right of each class, conscious of its own resources, to define life for itself, under the common limitations of the

public welfare. The push of its own powers, the knowledge of its own desires, enable it to do this with a correctness and certainty underived. This discussion has been burdened from the beginning with the unwarrantable assumption that one portion of society may define narrowly the appropriate form of excellence that belongs to another. Sex as sex does not modify the fundamental principles governing the rights of men. It is a fact irrelevant to them. It only gives one of the special—enlarging and limiting—conditions which come under them.

This question is first, one of the correctness of ideals; and, secondly, of the proper limits of social and civil restraints. The true ideal—not the ideal which belongs to past and present preoccupations of thought; not the ideal imposed upon women by the sexual sentiments of men in their existing form—will profoundly affect this question, because it will affect the output of desire. The ideal of womanly character, on which the rejection of this claim of complete liberty under common moral restraints proceeds, is, we believe, partial and false. The movement of enlargement is certainly in the right direction, as tested by general consent, and by our experience under it; nor is it easy to see why it should not be carried to its natural limits. Any other limit we may set up is at once pressed upon by all the forces that have overthrown previous ones.

The struggle for what may justly be termed the emancipation of women is one of great interest, because custom in all its forms, social, civil and religious, is involved in it. The custom we have to encounter touches the good order and safety of the community most profoundly, and yet it is a custom that has never made answer to clear and well-reasoned convictions. Custom which has its roots far back in barbarism, which has

reluctantly made slight concessions to the accumulated pressure of civilized life, which has turned away even the spirit of Christianity from its own broad channels into narrow currents ; custom which stands for the near and remote errors of the past under the manifold perversions of thought, feeling, action ; under lust, the love of irresponsible power, selfishness, superficiality and idealizing passion bent to narrow uses under a religion, hierarchical in sentiment, and distinguishing but feebly the pure and spiritual force of the higher affections ; custom which consolidates the mistakes, systematizes the wrongs, and obscures the follies of every stage of progress ; custom, the hoar and reverend sinner of many years, and yet the indispensable servant of the times now passing, confronts us, contemptuous of the new, scornful of promised gains, bowing worshipfully to all historic ideals, and hiding in every corner of thought and nook of feeling some present interest ; custom, invincible to argument, only to be subdued by a patient pertinacity greater than its own ; custom of a blind, complicated and obscurely emotional order, and strongest in women who are suffering the most from it, bars our way and challenges not only every point of proof, but meets with blind prejudice and persistent peevishness every phase in the application of admitted principles.

That there is a remnant, in the lower ranks of society a large remnant, of animal life, shown in the position assigned women, can hardly be denied. Marriage, a relation which should be assumed with the largest liberty, is forced upon her. Life is made to promise the least possible returns without it, and so marriage itself is often greatly marred by the silent coercion which precedes it. The first terms in brute life still tinge the relation of the sexes. A coarse love of domination helps to exclude

women from power in the economic world, and to force upon her that constant dependence which subdues the soul so effectively, and makes the will concessive to evil. It is, in part, because of this perversion of marriage, the first organic term in all pure, spiritual life, that some have come to think and speak contemptuously of the "one-man and one-woman" relation, as if it were the initial letter in egoism and selfishness.

Society takes upon itself a superficial refinement of a sexual relation, whose chief inner features are sensuous, and which fosters dependence and weakness in women as things in themselves fascinating and readily affiliating with sexual beauty. This temper encourages what has been termed "the willy-nilly" disposition of women in matters of affection. "Coyness and caprice have, in consequence, become a heritage of the sex, together with a cohort of blind weaknesses and petty deceits, that men have come to think venial and even amiable in women, but which they would not tolerate among themselves." *

The religious sentiment softens, but does not remove this social tendency. A blind, emotional element predominates in faith, and women, under its influence, become docile to guidance, devotees in devotion and indisposed to strong, independent work. They make up the body of the Church, and rest quietly in the hands of leaders. Precepts which Paul laid upon a pagan society two thousand years ago are still regarded by many as immutable principles. A hierarchical temper roots itself vigorously in the decaying soil of by-gone centuries.

In all this there is a profound contempt of women, concealed, on the one hand, under the captivating glitter and flattering attentions of social life; and on the other,

* "Inquiries into Human Faculty," p. 57.

by resting in full phrase on the excellent duties of woman and her holy home functions. The gallant thinks, and often speaks, contemptuously of woman, as something pertaining to the sensuous accidents and complete enjoyments of life. In the Church, women are not only greatly limited in labor, they are constantly embarrassed in their own undertakings by what is deemed a higher and wiser and wider guidance. A spirit of silent concession is inculcated and quietly enforced.

Says Byron, "I regard them—women—as very pretty but inferior creatures, who are as little in their places at our tables as they would be in our council chambers." This Byronic sentiment is the natural outcome of Byronic morals, and wherever the least taint of these morals lingers, there will linger also this feeling, like an unwholesome odor.

Thus sin and holiness are made to meet in a low estimate of the personality of women. On both sides this opinion works immorality, and checks the true growth of the soul. The admirable spiritual attainments of women are far less influential than they otherwise would be with men, because they bear with them a reduction of estimate incident to the assumed inferiority of the sex in capacity and range of duty. The most noble types of character are partially hidden from us by this mist of ignorance, abatement and detraction.

There is a much higher ideal in inner thought and in outer action to which we have a right. This question of ideals is of utmost moment, as it touches alike all the profound elements in character, and their fit form and conditions of expression in society. It involves in full circuit the principles of right living, the finest of the fine arts. It is difficult to believe that the true ideal of womanhood would suffer by more knowledge, wider

human interests, broader fields of usefulness, more independent and robust action, physically, intellectually and morally, in shaping the conditions of life, and life under these conditions. Knowledge which is of the nature of wisdom cannot be widened without a widening experience. Not only would woman herself be helped by such an experience, not only would she be more helpful to others by means of it, there is nothing by which man's conception of her would be more improved than by the hearty and timorous respect which is yielded to wisdom. The strongest proofs will be required to satisfy the philanthropic mind that large things in thought, responsible things in action, commanding things in council, broad things in human sympathies, are denied in any degree, advantageously, to women; or that their acquisition should be made in any way difficult for her.

All apt, variable, beautiful forms of expression will remain to women, not less but more, under an inner enrichment and fulness of the spirit. Man has done no one of the many things which he does with such perfection that there is possible no fresh variety or lustre in method. The womanly way in manly work still remains a revelation. Glowing ideals are not reached by dropping elements of power, but by new combinations and novel adjustments of living forces. The feminine form should not exclude the essential force of the masculine spirit; if it does, it sinks into weakness. The masculine form should not be wanting in feminine tenderness; if it is, it becomes gross, and the more gross the deeper we penetrate it. In this highest region of action there is room enough for all, with ever varying phases and delights of life. Florence Nightingale did repulsive, masculine work, but she did it in so rare a temper as to give it the true beauty of womanhood. There were no incompatibilities

between the work and the woman who rendered it, because the inner life had measured, and overpassed in measurement, the external task. The soil was coarse, but it was quickly covered with delicate living tissue.

When Dr. Lidden says—and many good men have taken up the same sentiment with equal haste—that women become "pale caricatures of the men they rival," he fails to see and sufficiently feel many things. All progress involves in each independent step more or less of disproportion and maladjustment. The reformer is and must be intense, pungent, beyond the ordinary man, and must transcend, at one or more points, the familiar lines of symmetry. The full excellency of earlier changes cannot be seen, except by the prophetic eye, till they are supported by subsequent ones and harmonized in them. A lower harmony has been broken, a higher harmony has not yet been reached. This movement to a new centre is of the very substance of reform, that at which reform aims. The breaking of the lower harmony is the condition of establishing the higher one.

Women who urge the new method, who claim the larger rights, are, by natural selection, bold and decisive spirits. They are already at war with conventional sentiment and accepted proprieties, and are made more pronounced by every form of unreasonable opposition. They suffer somewhat the warp and distortion which come to all men by prolonged and bitter conflict. They serve their generation at their own cost; they go to war at their own charges.

Sensitive, fastidious men, who have kept quite within conventional lines, and have even done something to straighten and establish them, are greatly offended by a new, immature type of character, an unwomanly character, as they abhorrently term it. The offence on their

part is unreasonable; yet it is also unreasonable to expect those, trained in this school of proprieties, the synonyms of virtue, to dig beneath the old familiar foundations of social order, to uncover the bed-rock, and to make the preparations for a larger and more complete structure. They do not come near enough those who are laboring for fresh conditions of order to understand their constructive ideas. Disturbed by the dust and offended by the rubbish of overthrow, they keep at a distance, and fail to measure the feeling that occasions all this confusion, and the grandeur of idea that underlies it. They think through their senses and prejudices, rather than through their moral intuitions. There are often great tenderness of sentiment, as well as purity of thought and vigor of intellect, in these "pale caricatures," hard at work in an unlovely masculine method—unlovely only because seen in the midst of those harsh circumstances which it itself is laboring to abolish.

In much the same way were men enamoured of the beauty of slavery, its fine, large domesticity, its varied and picturesque presentations, and in much the same way have they been compelled to wait patiently on freedom year after year, to justify itself even in a bearable life. We cannot have upheavals and reconstructions in one and the same instant.

There is another aspect of this question of ideals. The two sexes are with us becoming painfully separate in their tastes, habits and conceptions of truth. Gross appetites, like that for tobacco, narrowing pursuits in the intense temper incident to a search for wealth, and unspiritual habits of thought, occasion among men a coarse, unbearable quality of body and mind. On the other hand, restrained appetites, enlarged education and the studied refinements of a spiritual training, render women

more and more, in body and mind, a sublimated order of beings who come in contact with the ugly facts of life shudderingly and with profound deprecation. There is a wound to every higher sensibility, again and again, as the pure and inexperienced fall into the base uses of a truly lower class of beings. Men and women need to be brought together on better terms of action, under a larger, more instructive and less irretrievable type of experience.

§ 2. While ideals touch the very bottom of this question of the rights of women in its spiritual force, they do not fully cover it in its social bearings. It is not the office of society to define ideals for its citizens. Its business is to give the largest liberty in forming and working out ideals. It is quite time that good men should cease to construct authoritative ideals for half the race, and should learn to leave the inner force, the divine force, of the lives of earnest women to develop, and to declare for them their own ideals. New types of conduct must come from the push of fresh life, rather than from antiquated speculations concerning it. Nothing can be more unreasonable than to remand women to certain defined labors, to suffering and prayer and patient waiting under these labors, and to forbid them to put forth their hands in accomplishment of the very things they long for. There is in this a disparagement so profound that it thrills the air with irony, and makes the wisest precepts sound like bitter words of tyranny. When piety is thought especially to become women, piety and womanhood are alike dishonored. When domestic virtues are made pre-eminently and exclusively their virtues, they hang on them like chains and trammel them as uncomfortable garments. Why does wise, womanly counsel come so often in vain from the lips of the mother and the wife and the sister? Because of the weakness of the personality which society

has helped to put back of these divine relations. The oracle is not greater than the priestess who pronounces it. Wisdom cannot be weak, and weakness will destroy wisdom as certainly as wisdom will contend against weakness. Moral power is a great and admirable thing, but it loses nothing by social strength. While the pedestal is not of the same value as the statue, it is very essential to it.

The social limits which narrow the productive labors of women and take from them political power cannot be justly maintained except in view of some direct, palpable and important injury which is to arise from their removal. These restraints being removed, the question of ideals will settle itself under the potency of real events. The true, apt ideal will prevail, the false, superficial ideal give way. An ideal that needs support from without stands self-condemned.

If women are to have the range of the moral world, they must also have that of the social, civil, religious worlds, in which the principles of ethics find application. As the field of morals has no inner divisions, but is open everywhere to one harmonious and continuous flow of thought, so must be the movement of that life, pure, devout, broad and vigorous, which is developed within it. To check action is to cripple thought and weaken the moral power. The world and the whole world belong to each man for these very spiritual uses. This is pre-eminently true of woman, in whom the sympathetic and moral development is so pronounced. She cannot afford any loss of balance by a loss of a portion of the facts to be considered; nor can society afford the loss of affections so eminently quickening and refreshing as those which characterize women.

§ 3. The social problem which is, perhaps, the most far-

reaching in the principles involved, next to that of which we have now spoken, is prohibition. We wish to discuss it on one side only, its relation to social construction. Is the aim of prohibition within itself a legitimate one? We assume—if indeed at this late date it can be called an assumption—the immense evil of intemperance as seen in crime, poverty, insanity, idiocy, moral tone; we assume—though this point will gain something by the discussion—that these consequences are inseparable from a free sale of intoxicating drinks, and we then inquire whether on these grounds society has the right and the duty to prohibit the sale.

Prohibitory laws belong to those laws which are compelled, at the outset, to confront great opposition, and ought not, therefore, to be enacted till a sound, working majority, fully understanding the issue and pledged to it, lies back of them. Suppose, in any community, as the result of wide discussion such a majority has been secured, are there still any personal rights which should restrain it from exercising its power? May we propose prohibition as a step in progress, or is it forever forbidden us by the inalienable rights of any and every minority? The minority, in the case we have supposed, would be made up of three classes: those who are intemperate, and so tending to the weakness of poverty and vice; those who are engaged in the manufacture and traffic of intoxicating drinks; and those temperate drinkers whose habits are such that the safety of the community is in no obvious way endangered by them. The first of these classes, inimical to the public welfare by actual intemperance, can offer no rational obstacle to prohibitory law. If such a law were looked on as a punishment, it would be a very mild one for the offence. Nor are the claims of the second class much stronger. One may, indeed, seek his

own profit in all the ways that the public welfare allows, but the public welfare must first be determined, and personal profits are wholly secondary to it. The saloon-keeper must stand aside till this question is settled. He is burdened at once with a heavy presumption against him, pursuing a business which injures so many by his and their fault, and so many others associated with these victims of appetite without fault on their part. The seller of intoxicating drinks, with a very bad case against him on the face of it, is only brought by prohibition under the perfectly general principle of the public welfare.

There remains, then, the third class only --that of temperate drinkers—to be considered. On their rights the discussion hinges. This class may be a somewhat numerous one, but must, under the circumstances supposed, be a decided minority. Have they an indefeasible right to a free, convenient purchase of intoxicants, and is this right a final bar to prohibition?

To answer this question in the affirmative is either to give up government by the majority, or to affirm that there are certain original rights of so fundamental a character that no government can fittingly violate them, and that among these rights is the free purchase of intoxicating drinks. But there are no such rights. All personal rights submit themselves to the public welfare. We protect them in the first instance for this welfare, and when this welfare demands it, we take them away. When we hang a murderer or imprison a thief we break through every personal right, and not those of the criminal only, but of his friends also. When we impress a soldier, the same principle holds true. When we take private property for public uses we recognize this law afresh. When boards of health say to a citizen, you can do nothing

on your own ground dangerous to the public health, they are giving the same social idea new extension. This principle goes with us everywhere, in the determination of what is decent and indecent, what is convenient and inconvenient in our streets, what is and what is not a nuisance, what is safe and what unsafe, as in steam-works, railroads, vessels, buildings.

To affirm the personal rights of an individual in a case like this is to enable him to stand across the path of public progress, to check the organic movement of society, and so ultimately to destroy his own well-being as well as that of others. None of us will have boldness sufficient to make such an assertion. We shall try to show in some dark way that it is better for society to allow than to take away this right of sale and purchase. That is, we first argue the case on social gains, and settle it against the temperate drinker; then we claim for him an inalienable right; and, hard pressed, we once more go back to social interest and wise social tolerance. Society ought not, on the whole, to claim its own.

The growth of society takes place under a rhythmical movement, between individuation and organization. Individuation is for the sake of higher organization, and organization, in turn, for the sake of more complete individuation. If either movement takes place in arrest of the other, both are lost. Organization always involves this double movement between specialization and combination.

In the case before us, the prosperity, the moral force, the growing strength of the community to be transmitted by inheritance, are opposed to individual indulgence; the immense social and personal gains of society are put in jeopardy by it. It is not sufficient to answer that this common profiting may be won when it can be truly won;

that is, when all men freely accept it. Every community possesses a certain residuum of base and vicious material, imperfectly subject to moral law. It is the right of the community to treat this relatively dead matter according to its own nature; to cast it out in the degree called for by its relation to life. This, again, is a part of the organic movement. We can have no living organism that is impotent to relieve itself of burdens. Potency is of the substance of the idea. Society is under no obligation to subject, it ought not to subject, its own high fortunes to those morally inorganic and repellent. It has the deepest and the most urgent of all rights—the right of all—to overrule unreason with reason, unrighteousness with righteousness. Government means this or it means nothing.

Suppose the majority yield such a point as this to the minority,—the free sale of intoxicants—personal rights are much more profoundly set aside than by enforcing the wish of the majority. Society, in its essential features, is constructed by the minority against the will of the majority, is constructed in defence of an appetite at the expense of a moral sentiment. The majority are compelled to endure the expense, the moral exposure, the physical and social deterioration of all sorts incident to the vice, debauchery and animalism of the intemperate, simply that the temperate may have easy access to intoxicants. In order that the minority may spend their money for their pleasure, the majority are compelled to spend their means for that which they loathe—the correction of crime, the support of pauperism, the treatment of idiots, the sustenance of the insane.

Liberty, growing liberty, means the increase and diffusion of serviceable powers. Personal liberty is designed to arrest this very movement toward liberty. If we con-

sider the extended and inevitable connection of intemperance with crime, insanity, idiocy and imbecility, the lives of women and children stripped of all safety by it, the great moral perversion and industrial weakness that attend upon it; if we consider the slightness of the pleasures and profitings incident to it, we shall see that there never has been a more preposterous claim than that set up by personal liberty in behalf of this traffic. If there is any irrefragable argument broadly based on the general well-being, and also narrowly based on the right of the weak to protection; any argument profoundly strong in the magnitude of the interests involved in it, and also strong in the trifling character of the interests sacrificed by it; if there is any argument unimpeachable in its broad, moral bearings, and also in the impatient, captious, and reckless quality of the reasons urged against it, that argument is the one offered in behalf of prohibition.

It is said, lay your restraints, where the evil commences, on intemperance proper, and not on relatively innocent indulgences. There are two sufficient answers to this response. There is no well defined line between innocence and guilt. Here, also, as elsewhere, we must do what we can do, not what we might wish to do. The injury to society commences long before the temperate drinker is willing to admit that he is at fault. The effort to retain the roots of evil, and yet to keep the evil itself well cut down, has been shown to be, by a long and disastrous experience, in the highest degree foolish and impracticable. This effort has failed in every variety of form within the last century. When we deal with subtile and pervasive agents,—as those which sometimes disseminate disease—our policy must be one of thorough extermination. The evils of intemperance are great enough,

extensive enough, and unavoidable enough, to call for this very method of extinction. Those who oppose this movement have at bottom the same interest in it as those who maintain it. The measure is devised for the common welfare, and that, too, through the entire range of the community. Its losses are slight and personal, its gains incalculable and general.

It should also be urged, in this connection, that the deep-seated illegal temper which accompanies this traffic renders any half-way measures especially worthless. This traffic is, in all its tendencies and its entire temper, illegal. The individual who follows it will, as a rule, neglect the restraints of law, and the community which accepts it will set aside any limitations of law which a higher authority may have placed upon them. Many cities and many public officers treat with habitual contempt all the regulations intended as safeguards of this trade. There is no more a legal temper in the business than there is a moral one.

But one great—that is, constant—objection remains to prohibitory laws, and that is that they, too, are no remedy. The objection may be quickly disposed of for our present purposes. Such objections always arise, always must arise, in transition periods. Virtue is unable to overcome vice till it does overcome it. There are no peculiar difficulties in enforcing prohibitory law when the community is ready for it. Such a law is easier of enforcement, when men wish it enforced, than are most criminal laws. The sale of intoxicating drinks is comparatively easy of detection, and if the sales are few and secret the evils are correspondingly reduced. The instant a community, with a good working majority organized for this end, says, This thing shall not be, the traffic will begin to wither, and, under this determination, will

rapidly disappear. If the undertaking were far more difficult than it actually is, the community ought to enter on it as a discipline of its own moral power, an affirmation of its own rights. What we are always most in danger of is an easy concession to the wrong on the ground of its persistency as wrong—an acceptance of its own reluctance to be corrected.

We have not yet fairly tried the experiment of prohibition, and yet its successes have often been striking. Give a territory large enough to offer the conditions of success; let a majority of the citizens in that territory order their political action in direct reference to this very end, and in an incredibly short period the traffic will be so checked as to stand on a footing with other crimes in the frequency of the violation of law. No such conditions have yet been gained in this country. There have been failures more or less complete, but neither so many nor so great failures as we might well have expected from the mixed, partial and misleading methods which the advocates of prohibition have used, and which have been used toward them. A law on the statute book has been the ulterior aim, with no sufficient provision for its enforcement. No policy could promise less or be more sure of disaster. Righteousness is always entitled to its own complete and righteous methods.

There is in itself no movement that more aids itself by its own progress than prohibition. Capital is rapidly transferred to other branches of business, and so ceases its pressure; appetite slackens its hold; public sentiment changes sides; the increased prosperity becomes manifest; and all persuasive reasons set in like a great river, to bear the community on in its righteous and prosperous intent.

Much emphasis may, in this connection, be rightly laid

on the timidity of capital, in large quantities. The strength of the trade for all purposes of defence is now the immense capital safely and profitably employed in it. Let a national prohibitory law be seen approaching, let it be actually passed with the support of the people, and this capital will rapidly scatter in all directions, and almost wholly disappear. The manufacture of spirits in any considerable quantity is a palpable fact readily dealt with. The risks of such manufacture would be very great. The United States Government has met with no very grave obstacle in enforcing a very heavy tax.

As capital is withdrawn, the power of the traffic will disappear. Each man will have enough to do to care for himself, without contributing anything to the common cause. Capital is interested in profits, and safe profits will be no longer possible. The battle with capital is to be fought out before, not after, the passage of a national law. Appetite will remain much longer, but appetite cannot to any extent create the means of gratification, and must slowly yield to the moral sentiment and physical facts which surround it.

Large cities, it is confidently said, cannot be reached by prohibition. If large cities, like New York, Chicago, Cincinnati, St. Louis, were now in a safe condition, this objection would have much force. But, unfortunately for this objection, large cities are in a very unsafe condition, are a problem of fearful urgency forced upon all for immediate solution. The prohibitionist is the only one who is in any way prepared to meet this difficulty. Society must look to prohibition as the only direct and safe method of confronting this instant danger.

According to the *The Nation*, seven of the twenty-four aldermen of New York City are liquor-dealers, and only three out of the twenty-four are reliable in reference to

the public interests. No degree of dishonesty and corruption is impossible or improbable in the majority of this board. Even a worse balance exists in Chicago. The seat of the trouble is the social and political power of the liquor-traffic. The direct and only possible remedy is the overthrow of this traffic. Who, under these circumstances, has the key of the future? The prohibitionist. Prohibition is not the point of danger but of safety.

§ 4. The extent and province of public education as a social and regenerative agent still demand attention, notwithstanding the attention they have already received. It is by no means a wholly discouraging indication, that the methods and results of education are so generally and so severely criticised. If it implies something like failure on one side, it also implies on the other a high sense of what education ought to be, and ought to do. There is a chimerical element, both in the criticism and in the hope implied, yet one that tends toward effort. Prevalent methods of education are by no means as faulty as they are often represented as being; nor are new methods as full of promise as they are thought to be. One fact, however, of utmost moment is emphasized by fault-finding, and that is, that education must enlarge and improve education. Knowledge alone corrects knowledge. If our instruction is not sufficiently practical, if it lacks definite moral force, it is very much to discover these facts, and to begin to include in order each new factor. Whatever have been our failures in education, we should have found them out only by education. Neither knowledge nor instruction can be self-destructive, for they set aside the old and the faulty only by disclosing the new and the improved. As long as human progress is conscious and voluntary, it is vain to disparage education, since it must

remain the indispensable condition of growth, as much so as is light of safe animal movement.

If our instruction has been too narrow; if a knowledge of arithmetic is not equivalent to a knowledge of morals; if a smattering of grammar does not imply a mastery of life; if a theoretical exposition of truth cannot take the place of practical obedience, it is much to understand these relations, and the one ever returning lesson is, the enlargement and improvement of effort.

That public education which is to subserve the purposes of public life must be general and extended. If it is simply rudimentary, it will easily become abortive. Breadth and height must sustain each other in instruction as in architecture. General knowledge must lead to exact and specific knowledge, and special knowledge must gain circulation and social force through the medium of popular intelligence. The common consciousness must be one of light and liberty, one in which ideas, however begotten, find easy movement. This ready communicability of social truth and social sentiment is as absolute a demand in a free government as is circulation in a healthy physical body. All methods of influence —those of the press, of the pulpit, the platform—are effective and safe on this condition only.

Public education must aim, therefore, at that general intelligence which makes the community receptive, and at that special intelligence which makes it productive. How far we are falling below the insight necessary in handling public interests is seen in such questions as the tariff and the currency. The principles involved in these urgent problems are not very obscure nor very difficult of apprehension, yet the popular mind is far from having clear convictions on them, so far as to lead to most serious errors. So long as there is this general dulness of thought,

making selfish and misleading demagogism possible, we shall have demagogues. They are the product of a hazy intellectual, and an oppressive moral, atmosphere. Social convictions that are to be carried out in ready and safe action must be deeply and broadly penetrated by the truth.

Freely granting that, under existing complexities, it is a foolish piece of dogmatism to say that the principles which underlie free trade and a sound currency are perfectly simple in their application, yet it is plain that the chief difficulty in dealing with these problems is the complexity of interests that push into the foreground, and not the complexity of truth. The light is divided and refracted in a hazy atmosphere of ignorance and selfish impulses. We could reach conclusions with comparative ease and safety, if men were willing to accept them. The sun itself can be befogged if there is only an atmosphere to receive the fog; and that atmosphere is found in the political world in popular ignorance. It is this that entertains and retains the misrepresentations of self-interest. What we need constantly to remember is, that that intelligence which is to deal vigorously and thoroughly with difficult social questions must be a general and growing intelligence.

Many urgent problems of national policy are of this broad and obscure character. Interested advocates are ready to out-face science, philosophy and moral conviction in their discussion. The degree in which we ought to fortify our harbors and strengthen our navy, for example, depends very much on the moral temper of the people, the risks they are willing to take in behalf of peace and quiet counsel. Comparative defencelessness is only in keeping with high moral character. Certainly our policy is an obscure and doubtful one, when the Secretary of the

Navy can say that we have little or nothing to show for the seventy-five millions spent during the last seventeen years on vessels of war. We are involved in a confusion much greater than that of principles, when the manufacturers of screws enjoy so high a protection that they can afford to pay English manufacturers a bonus not to disturb their market; or when workmen can be led to believe that they can be in any way gainers from an excessive issue of silver.

The intelligence that is to subserve the purposes of prosperity in this people is not the power to read and write, it is an intelligence that opens and answers all social inquiries.

There are two objections which lie against public education in the minds of its more candid opponents. The first of these is that it is unjust to take private means at one point and use them for private ends at another point, to tax one man to educate another man's son. The error in this objection arises from a narrow, bald division between public and private interests. Many private matters are also public ones, and must be treated on this side as well as on that. While each man is interested in training his own children, the public is also interested in it. If we mean by interest either feeling or gain and loss, the interest of the public often exceeds that of the parent. The rich man is not taxed for the sake of his poor neighbor, but for the sake of the community and for his own sake. Private interests are public interests, and public interests are private ones. How at any one time these interests shall be dealt with is a question of changeable relations, to be decided by the broad bearing of the facts, and not by the narrow form under which they may offer themselves. We tax each citizen that we may have good roads. We do not inquire whether his use

of those roads is in proportion to his tax. The goodness of roads remains for all, a public concernment, no matter who travels upon them. In a more extreme application of this same principle, we conscript rich and poor—more often the poor—for the defence of the state, though this defence may not only not issue in any personal advantage, but may cost the conscript his life. The individuation involved in this objection to education is so extreme as to be inadmissible. It would be a strange anomaly if my neighbor were rightly compelled to yield his sons for the defence of my property, and I were under no obligation to submit to any burden on that property in behalf of the training of those sons; though this, in view of permanent well-being, may be an equally, or more, important public interest. We are taxed in education, not for the immediate aid of our fellow-citizens, but for the indispensable conditions of the general welfare. The fact that there is a personal gain must not be allowed to hide this broader relation.

But a second objection, deeper than the first, springs up in the form of a denial of public improvement by public instruction. The objection is, not that knowledge is not profoundly essential to progress, but that the imparting of it rests, in each instance, as a duty on parents; that to relieve the poor of this obligation to themselves and to their children is to enervate them, and to teach them to shirk the responsibilities of life. Here the broad principle is urged of personal independence and personal power. There is no principle, admittedly, more important than this. In this case we think it misapplied. The need of education is not so obvious and so urgent that instruction can, with the ignorant and the poor, be left to its own enforcement; nor are the mischiefs arising from the want of instruction so narrow and so personal that the de-

pressed classes, planted in the midst of society, can be allowed to make what shift they can under them. The duty arises between parents and children, but the remissness rests with the one class, and the injury with the other. It is a duty that comes as secondary to that of providing food and clothing, and this primary work often exhausts the physical and moral resources of the parent. The poor rarely see or feel, in a sufficient degree, the force of the interests involved in education, and so cannot be left to self-interest as an adequate motive. Moreover, this motive of self-interest still retains, notwithstanding this aid in education, an ample field for its exercise in providing the general conditions of prosperity.

If we were to compare two communities, one in which there is thorough public education, and one in which there is no provision for general instruction, we should find in the former, as in the United States, an exceptionally large spirit of self-helpfulness. Education greatly increases the motives to ambitious, self-directed effort. The very gist of education is the awakening of fresh incentives, is letting in the light of knowledge, which is the very medium of desire. A well-educated community will always be distinguished by diffused, as well as by intense, energy. Education gives range to all social stimuli, and helps to make easy the conditions of attainment. There is certainly, on the whole, no form of giving which so completely regards the law of individual effort as this of education. Education itself involves effort, stimulates further effort, and helps it onward. Even with the very ignorant and indolent, the education of children is more likely to increase than abate action. It leaves the full burden of the most immediate wants of the child still resting on the parent, and strengthens the wish to bear it.

We are certainly not prepared to say there shall be no giving, our sympathetic impulses are all a mistake. On the contrary, the divine wisdom is preëminently in them. Energy is inspired by a wise gift, and the heart supremely strengthened by it. Certainly no gift is wiser than this gift of wisdom, or more stimulating than it. The objector to the value of education is convicted of inconsistency and insincerity by the fact that he never applies his conclusions to his own children. These he always wishes to be well instructed. The general custom among men convicts of equal error the opinion that free education enervates the poor. Higher education, even for the very rich, is almost universally eleemosynary. The energy of the community has certainly not been impaired by this fact. The poor can bear with equal success a like heedfulness of public interest.

In a community of ample public education, each citizen receives a fair compensation for what he gives. The wealthy citizen may seem to give largely with little direct return, and the poor citizen to give little with a large return. Yet the common prosperity, built up by this education, makes very unequal repayments to the rich and the poor, and with exactly the opposite disproportion. The rich can readily bear in its pressure on enterprise this extra burden, and the poor, weak in motives to exertion, require this softening of conditions, sure, at best, to be very hard. While natural law is never to be set aside, it is to be constantly supplemented by higher social and moral laws, themselves also ordinances of nature. All the affections and amenities of life involve this very thing, this very addition of grace to labor, benevolence to justice.

§ 5. A social problem of most immediate and pressing significance is this very one, the equalization of advan-

tages between citizens, more particularly between the rich and the poor, those who have won the lead and those who have fallen behind. All social movement, left to simply primary, natural tendencies, gravitates toward tyranny. It is the very office of the moral reason to correct this tendency, or rather to anticipate it. When strength, physical and intellectual, is allowed to work out its own results, we have the rule of kings and aristocracies. When industry prevails, the form of the relation is altered, and somewhat softened, but the fact itself remains. The active and crafty now rule as certainly as the strong and the unscrupulous in the past. The new and better incentives, awakened by progress, require moral guidance, correction and aid. A community in which wealth has won all its natural advantages, and completed its usurpations, is hardly more bearable than one resting under a military despotism. The difference between the two lies chiefly in the number oppressed.

Protection is admitted by all to be the first duty of government. But this protection is not that of the productive classes against the depredative classes simply, is not of society against criminals merely, but is also the protection of the weak, universally and broadly, against the strong; is resistance, wise and wisely directed, to the general tendency of power to usurp power; is an effort toward the constant redisposition and renewal and equalization of advantages. Society thus ceases to be a mere spectator, repressing crime only, and becomes truly provident, wise, humane, constructive. We have no faith in the philosophy which, arguing from the past, narrowly interpreted, sets down the state—society—as a blind, hopeless bungler, to be crowded as much as possible into the background. When this temper prevails, an immense number of the poor will be carried to the wall and

crushed between it and the state, which practically stands for the opportunity of the strong. Men can learn collectively as well as individually.

A prosperous community has two terms, intense enterprise and diffused enterprise. The difficulty has been in maintaining them both. They tend to destroy each other, and in so doing to destroy themselves. The incentives of effort are lost to the very wealthy, and at the same time and by the same process taken from the very poor. Real life only remains in the intermediate classes. If, however, we redistribute advantages in a communistic spirit, we cut the muscle of all effort, and we shall certainly fail unless within some narrow circle we find a religious sentiment to take the place of our discarded self-interest. Social construction should aim at maintaining the industrial movement, and, for this very end, at renewing and widening its indispensable conditions. We should do as those who order races. A race once entered on is left to its own completion, but the same equal terms are restored to each successive race. Advantages are not left to accumulate themselves indefinitely, as if there were but one race in life, dating from the beginning and reaching on to the end.

The present industrial temper of society is in this matter blind, selfish, timid, careless. The money-power vigorously asserts itself, and it easily overawes the moral and social forces which should work with it, and at certain points supersede it.

The first example we offer is that of taxation, its inequality and hap-hazard application. The principle of most immediate moment in taxation is that of justice. This is closely associated with the second most important principle, that taxes should be so laid as to be least burdensome to production. If one of these principles is

violated, the other is violated with it. The large amount of imposts in this country signally offends both of these principles. Inequality in distribution and perplexity in production belong to them in a high degree. One of the worst, and yet for the moment one of the most popular, taxes is that on the manufacture and sale of intoxicating drinks. The community is willing to wring out of the errors, vices and crimes of its members, the means of national subsistence; and, withdrawing the hand of help from its guilty unfortunates, to precipitate them—and at a price—in their wretched career of poverty.

A tax on products rests on consumption, and the consumption of the poor as contrasted with that of the rich may, in the product taxed, have very little relation to their means. In the case of intoxicating drinks and tobacco this is especially true. A tax on these articles falls very heavily on the poor. Ireland pays nearly double the proportion of taxes which falls to her, and chiefly because of the large consumption of whiskey and tobacco. A humane sentiment is falsely appealed to by this tax. The tax is urged as a discouragement of the use of these articles. Practically, it has no such result, but simply sinks the victims of appetite still deeper in poverty. It even increases the hold of the habit. The wretchedness of Ireland and the whiskey of Ireland are reciprocally cause and effect.

There is with us most marked inequality in this tax. The impost on foreign wines serves to protect home wines, and is one-fourth or one-sixth of the cost of these drinks of the rich; that on whiskey, consumed by the poor, is four or six times the cost of spirits. A device of unmitigated evil is thus hidden under the guise of virtue. In the mean time the consumption of spirits, adulterated

and heavily taxed, has rapidly increased. Nothing begets poverty and preserves it like whiskey.

The very secondary consideration of ease of assessment and collection seems to be with us the predominant consideration, and this ease means following the line of least resistance on the part of the wealthy and the strong. We forget the truly judicial character of this function of taxation, and impose burdens where, from custom, ignorance, indifference or weakness, they are likely to be borne with least complaint. Clamor is the one intolerable and inadmissible thing in our politics; far more so than injustice. The two leading points of justice in taxation are that those in like relations shall be burdened in like degrees, and those in unlike relations shall be burdened according to their respective powers. This is justice in the law, and to it we must add justice in its administration. Both the soundness of method and the soundness of administration are disregarded by us. The wisest and most just tax we have ever imposed, that on incomes, was removed, and for reasons that should have made it the more acceptable, that it called for openness, and so for honesty, in business, and tended each year, when carefully enforced, to a better knowledge of personal and financial responsibilities. By our present methods the most wealthy escape all due proportion of the public burdens, which are left to fall mainly and yet unequally on those of moderate means and on the poor.

Justice in the laying of taxes obviously requires that they shall be proportioned to resources. This claim justifies not merely a proportion that increases directly with income, but one that grows somewhat more rapidly than it. Four thousand dollars yearly for the support of a household express somewhat more than four times the power of one thousand dollars; and fifty thousand

more than ten times the liberty of expenditure of five thousand. It is the margin of income beyond necessities and beyond urgent claims that determines one's pecuniary liberty and power. Moreover, one's indebtedness to the state rapidly increases with the enlargement of wealth. The millionaire owes the ready power in time and place by which he maintains his extended possession to the omnipresence of law. Personal protection and private power go but a little way with him. The poor man hardly needs any other protection—unless it be against the rich—than this of personal presence. This principle of proportioning service to power is the one the state is ever compelled to fall back upon in an extremity. The vigorous are draughted into an army of defence, simply because they are vigorous.

Justice in the assessment of taxes is lost with us by a timid, conservative temper, which says to the influential, By your leave, gentlemen. Not till we are prepared to assert justice in the law itself, have we any right to expect justice in the use of the law. While those who suffer injustice are not bold enough to resent it, those who inflict it will not be considerate enough to correct it. Correction always has demanded, and will continue to demand, a spirit of resistance firm enough and strong enough to insist on a remedy. It is foolish to suppose that evil in the social and moral world will correct itself by its own development. Where the sense of injury rests the demand for redress must arise also, and precipitate the crisis. If those who suffer are apathetic, still more will those be who inflict the suffering. To wait for public opinion to take the place of law within its own province, is to overlook the relation of the two. Law is a means to public opinion, and when it is a step in order, it must be made as a condition to all subsequent progress.

When the sense of justice is not strong enough to enforce itself in and under law, it certainly will not be to carry enforcement beyond the range of law. A primary purpose of law is to break down barriers not immediately assailable by moral forces. Discrimination in the imposition of taxes should be made by us a constant means of correcting inequalities. It is now a potent means of increasing them.

It is not simply indirect taxes which fall at random, direct taxes are often laid with very inadequate scrutiny and very unfair results. Not only is the valuation of real estate very variable, large amounts of personal property escape entirely. If we take any broad survey of the facts in city and country the most striking features in direct taxation are the uncorrected ways in which it falls, and the excessive amounts borne by those of moderate means.

The citizens of a republic, in this matter of taxation, and in other matters, as "high license," are constantly taking surreptitiously the attitude of legislators. A popular vote should express directly and fully the popular mind. We often, under the lead of politicians, make it express, not what we ourselves think, but what we fancy, under all the circumstances, the people will bear. Hence it is an imaginary idea, and not an actual sentiment, that controls a popular verdict. If each man speaks and enforces his own convictions, we may at least know what are the facts with which we have to deal.

§ 6. The community also needs a deeper sense of its rights, and so of its duties, in the matter of franchises. Franchises are of the nature of monopolies, and stand for common possessions placed at the disposal of a few. They should never, therefore, be allowed to lapse into private property simply, but should be taken under the im-

mediate observation of the community, in reference to its own interests. A large number of these franchises are connected with commerce. Railroads, telegraphs and express companies, various forms of manufacture associated with railroads, as of rolling stock, and forms of production indirectly connected with them, as of oil and coal, involve the possession of advantages due to a certain stage of social development, and incident to the form of that development. To these are to be added many companies engaged in a service, from the nature of the case, narrow, and therefore more or less exclusive, gas companies, water companies, and some forms of banking. These are direct outgrowths of the common strength, and closely associated with it. If they are allowed to fall unreservedly into the hands of individuals, they confer an advantage oftentimes very great, correspondingly unequal, and so dangerous to progress. The state is bound to know its own and to watch over it. The exceedingly sound principle, that we are not to trammel individual enterprise, must be held in check by the equally sound principle, that private enterprise must not be allowed to trespass on the public welfare. If we cannot lose this enterprise, because it is full of energy, we cannot trust it unreservedly, because it is full of self-interest. To allow the enterprise of the more enterprising unrestricted action, may often be to allow it to smother the enterprise of the less enterprising. Great franchises, lost to the public, interfere at once and extendedly with that redistribution of advantages, that perpetual growth of the community, for which we are pleading. Advantageous order in society is a movable equilibrium, is the resultant of a quiet and ever-renewed collision of forces, is a balance of conflicting tendencies expressed on the one side as personal power, and on the other as common rights.

The ease with which a franchise throws itself athwart the path of general prosperity was recently shown in London. The gas companies of the city, "large and lucrative monopolies," sought for an injunction against the use of steam-rollers, as endangering their pipes. These rollers had been found very effective in securing a very important and general object, streets firm and smooth. The pressure, however, exerted by these rollers was greater than the gas-pipes could, in all cases, bear. A great public improvement, therefore, was brought to an end by a "vested interest," a public service held as private property. The concession of the city to these companies was pleaded against the city to the loss of its further power in a most important particular. Said *The Spectator* in commenting on this decision, "Law is a conservative science, and when it gets hold of a principle it cares little how anachronistic and obstructive to progress the application of the principle may be."

The immense power, a power unknown to the past, conferred on the owners and managers of railroads ought especially and constantly to be subject to official criticism. If we allow the ordinary rights of private property to attach to these franchises, we are putting the people into the hands of corporations. The measure of responsibility should keep pace with the greatness of the power conferred. It is nothing short of usurpation to claim these privileges for private ends simply; hushing the complaints of legislators and persons of influence by an extended system of passes. Neglect of protection against this new and strong creature of law has resulted and must result in much mischief.

Patent rights and copyrights are very wise in themselves, but are often grasped at and used as if they came strictly under the head of private property. Any inven-

tion, like that of the telephone, or of the Bessemer process in the manufacture of steel, may well bring the inventor large returns, yet, as these returns are wholly dependent on a direct provision of law, there is no reason why they should be allowed to become exorbitant. The law, standing for the community, having made its first wise concession, is not afterward to remain blind and dumb, no matter how the public well-being may suffer. The state, once a party to the transaction, remains a party to it to the end. Having provided for the compensation of the inventor in a patent, it should also see that his reward is not excessive, and at the expense of the public.

It is on this principle that the establishment of an international copyright is to be regarded as a measure of very doubtful wisdom. It is more frequently urged on the ground of simple justice. The copyright gains of an author are regarded as belonging to him, as much so as the returns of any form of labor. Herein is overlooked what is so readily overlooked, the contribution of society to the composite result, and the interest of society in that result. It is positive law that habilitates the author with the power by which he converts the intangible products of the mind into goods, and makes them yield a revenue. The author alone has no such potency, nor even the germs of it. It is the state that, with omnipresence, watches over its decree, and at every place and each instant turns the spiritual possession of authorship into the civil one of ownership. As the state is the chief and effective agent in this transformation, it may well define, in reference to its own interests, broadly considered, the conditions on which it will undertake the work. If a term of years and its own limited area give sufficient extension to copyright to stimulate and reward production,

then there is no sufficient reason for enlarging these limits, either in space or in time, and such an enlargement is a squandering of the public inheritance. Free goods in literature may still be the wise rule between nations, when the authors of each nation are adequately remunerated within its own bounds. The principle which leads to a limitation in time is precisely that which narrows the extent of territory.

The chief objection to international copyright arises at the very point we have been considering, an equality of advantages. A copyright of this order would result almost exclusively in increasing, at the public expense, returns of labor already large, and in putting them in still more unfortunate contrast with the returns of labor in other directions, in the same literary class and other classes; and, it may readily be, with the profits of labor of equal intrinsic worth. The novelist, essayist, poet and popular writer of every description would find their gains much enlarged, while the more laborious and patient workers in science, art, philosophy, would remain with no additional reward. It is such authors as Charles Dickens and Charles Reade that are much in earnest in pushing their claims, so called. Not till the demand for a work is sufficient to call for a reprint will an international copyright increase its returns, and when a work has reached this stage of sale, a fair profit is already assured.

The great objection to such a measure lies in the very temper which demands it, the implied assertion that the world is one's own to win what he can in it; that the function of government is to watch over the winner and maintain his game. It lies in that increase of inequalities in distribution by which the division of classes becomes deeper, more permanent, more disastrous, and the

rewards of labor are anticipated by a few. Commercial exaction is carried into literature, and the priority of wealth gains still more extension. The truly democratic temper, expressed in sedulous limitation and careful redistribution of advantages, suffers one more shock. The result is quite like that which arises in a popular government from a steady increase of public salaries. The commercial spirit issues in large wealth and large expenditure. It sets the standards of society, and alters its style and tone. The consequent growth in the cost of living is urged as a reason for larger remuneration. An increase of pay is conceded, and from this vantage ground the same movement is repeated, with another concession and another step of separation. Thus the officers of a republic are put more and more out of sympathy with the people, more and more in touch with wealth and the aristocratic sentiments which environ it. They are increasingly less able to set limits to the exactions of commerce, or even to regard them as exactions. The relatively poor have their burdens and the obstacles to progress increased in many perceptible and imperceptible ways; and yet these most unfortunate results seem to have been reached at each successive stage inevitably and under sufficient reasons. The trouble lies in the inherent tyranny of the strong, no matter whether that strength be one of war or of commerce. The people advance in civilization and make great gains, but they make them for a part and not for the whole. The few appropriate these winnings, as they are able, with no sufficient recognition of the element of joint labor and joint ownership.

The growing disposition to assume a public responsibility in reference to the families of presidents of the United States, and to grant them an appropriation, lies

in this same unfortunate direction. The duty of the people of the United States to their rulers ends with the relation, and certainly no exception should be made in favor of those best able to provide for themselves. The easy liberality of this procedure might win for it some praise, were it not for its hidden and ulterior results. Each encroachment is slight, but by means of them all a heavy burden is laid upon the masses, who, as we have seen, bear the load of taxation. They are put by these measures to new disadvantage at every step in the race for prosperity.

The subject of international copyright was recently discussed in *The Century*. Many writers whose returns are large took part in it. The claim was made to rest almost exclusively on simple justice. James Russell Lowell put it curtly in these lines:

> "In vain we call old notions fudge,
> And bend our conscience to our dealing;
> The ten commandments will not budge,
> And stealing will continue stealing."

He is also credited with saying before the congressional committee, that there is one thing better than cheap books, and that is, honest books. In all this there seems to us to be such a bold begging of the question as to cast suspicion on the entire method of thought which accompanies it. The right of ownership in forms of expression does not exist till it is given by law, and till this ownership accrues it cannot be stolen. The alleged owner is not in possession of that which he claims, and cannot be deprived of it. If a copyright is such a primitive piece of property that the state has no option either in giving or withholding it, then this line of argument holds; but if the power is one which does not exist till it is conferred,

then certainly the state may not only exercise its discretion in conferring it, but is bound to do so in view of all the interests involved. If one must come to the state on a question like this, he has no right to come to it peremptorily. If this line of argument is good at all, it is good for complete and perpetual ownership, and not for ownership for a term of years.

The mere fact of the creation by an author of that which has intrinsic worth does not settle the question how far this worth shall be converted by law into an exchange value. The fitness and extent of this transfer remain an original question, to be determined by the state, which can alone make the conversion. This conversion is the product of its own power, and that power in its full extent is involved in it.

What a speaker says may have great value, the law does not follow that value in his behalf. The nature and extent of its protection are shaped by the nature of the case and the public interest. Property may be greatly increased in value by improvements in its immediate neighborhood. If this enhanced value arises from a public park, the city may follow it with a tax; but if it is incident to private enterprise, the value is lost to the producer; he is not allowed to claim the fruits of his labor.

The broad, sound, democratic principle is, that a nation, like the United States, is entitled to its own powers and the fruits of those powers. Having made ample returns to its authors within its own large territory, there is no sufficient reason why it should still further increase these profits at the expense of the people at large, by the use of its resources abroad. This is to multiply inequalities between its own citizens, and enable an author to harvest the civilized world by the direct power of his fellow subjects and to their detriment. One refers the more readily,

in this question, to so illustrious and valuable a writer as James Russell Lowell, because the gains which would accrue to him under an international copyright would be so thoroughly well bestowed. But why should even he be allowed to lay hold of power which is really that of the people, and has been achieved for their own benefit, and use it unquestioningly for his own advantage; and the more when this power of theirs is urged against them in their own cause, and passed over to his own rights? It is the fitness of this temper precisely which we deny. The gains of civilization must be made to accrue to the many, and no man should be allowed to appropriate them without giving a sound reason based on the public welfare. It is this principle which this discussion ordinarily overlooks, and which we wish to emphasize; the state holds its power in trust for the many, and not in bondage to the few.

The fact that publishers, as the publishers of encyclopædias—and all publishers, unless quite a new method of stamps is to be adopted—would gain a great extension of a monopoly by an international copyright, is an objection in the same direction, the enhancement of differences already too great. The fundamental objection, however, still is that such a law would carry with it great and permanent inequalities of distribution in a new direction, and one that ought, if possible, to be kept especially clear from them—that of literary labor. The affiliation of wealth and intellect would be promoted under the constructive hand of the Government, and at the cost of the bulk of its citizens. It is the right and duty of the state to guard against such results.

§ 7. Another point at which the community stands aside, silent and inert, while its rights are grossly violated, is found in connection with speculative sales, in the cen-

tres of stock and produce exchange. If a man gambles in a gambling-house, though the bad results are relatively small, and brought home to the person himself, the law lays hold of him. If he gambles in a large, open assemblage, in an exchange, where the results are extended and impossible of definition and confinement, the law has nothing to offer. This is much like saying, if a man purchases poison for himself, he shall be punished; but if he puts it in a public spring, he shall go free. Not only is every man's ownership interfered with by speculative sales,—enormous in themselves, and in reference to the valid transactions with which they are associated—the very conditions of safe and prosperous trade are lost. Not only are those engaged in these gambling exchanges debauched in their productive temper, the whole community is debauched with them. Young men lose the first principles of profitable production, and its fundamental impulses. Disastrous losses are widely carried to the prudent and industrious, and even to the very poor in their narrow savings. A banker, whose trust is of the highest nature, whose responsibility to the community through the poor, whose earnings he guards, is of the gravest order, betrays himself and the hopes of the poor and the public prosperity, under the force of a speculative temptation; and yet the state has rarely any adequate redress to offer. To pass such offences lightly, and to punish ordinary theft heavily, is to degrade the net of law into a trap for minnows; is seemingly to add hypocrisy to inefficiency.

But these fictitious purchases are associated with legitimate transactions, and pass into them by insensible gradations. Separation, says the objector, is not easy, even if it is possible. The real difficulty does not, however, so much lie in the separation, troublesome as this

may be, as in the timidity which refuses to undertake it. The commercial force of great cities is on the side of wrong-doing, and the community at large is overawed. The first purpose of government, that of protection, is not subserved. The shocks of violent fluctuation and unavoidable loss are allowed to follow each other rapidly through all the lines of industry, and yet the state will not, dare not, assert itself. Those who wish this are remanded to public sentiment, when the first declaration of public sentiment should be, These acts are an unlawful disturbance of industry, are criminal. The members of a great exchange, as the Board of Trade of Chicago, create their own sentiment. They build themselves up very much in neglect of public opinion, and in neglect of civil law, if not in defiance of it.

Law, with its manifold refinements, with its disposition to divide and divide again, would certainly be able to deal with the needful distinctions involved in trade, as with other perplexities, if it should set itself diligently to the task. The law is as often lost in hopeless hair-splitting, from a disposition to escape responsibility, as from too eager a wish to assume it. The impotence of the state is now a favorite doctrine, under which the weak are left in the hands of the strong. Tyranny first asserted itself through law; now it asserts itself against law. The spirit is the same, the method only is different. The world belongs to those who can win, and organic resistance is said to be adverse to liberty—the liberty to plunder.

It is also urged, that those who engage in these speculative purchases suffer the punishment of their own acts. Very true, and so do all criminals. The real question is, Are these punishments sufficient to check the speculative spirit, and protect the community? A community is

never injured by a heroic, legal temper, provided it is a thoroughly just and humane one. The motives and limitations of wise law are these very interests—just public and private liberty.

§ 8. Laws of inheritance and entail offer an excellent example of the slow and unfortunate growth of custom, and of the forgetful way in which the community allows its rights to pass into the hands of individuals. The right to make a will was gained, step by step, under Roman law; and even now, under English law, one may control the descent of property for many years. Evidently, natural right, the first fruit of personal power, ceases with life. The world belongs to the living, not to the dead. The two claims are irreconcilable, that one should do with his own what he wills while he lives, and also what he wills after his death. The last claim is in reduction of the first claim in posterity. If each generation is to have its full freedom in the world, it must in turn own the world. Death must be a final relinquishment of rights. What we assert for ourselves in the descent of property, we take from our children; we steal a portion of their patrimony. We are not to turn our power into a limitation of like power in others.

It is also perfectly plain, that the laws of inheritance and of testament rest for execution on the state. The right of making a will is a concession. The dead man has no power; his hand holds nothing, and can confer nothing. Since the state executes the trust, it should do it wholly in reference to its own well-being. Laws of bequest and entail, owing their entire force to the state, should be bound very closely to its welfare. Laws of inheritance, supported by many natural and most important interests, and laying a much lighter burden on the

state, call for a wisely conservative temper. Yet at what point are a careful extension and redistribution of advantages more possible, or more in order, than when property, under the supervision of the state, is in the act of transfer. The state may well make its own well-being supreme, may well refuse to accumulate great wealth by will, or even by inheritance, in a single person, or to pass it on to remote times. The state is not to concede rights that interfere with more immediate and more urgent, if somewhat less familiar, rights. It is time, without any spirit of socialism, or any the least disposition to limit private enterprise, but rather on behalf of universal enterprise and its constant renewal, that the state should diligently study its duties, and reclaim the powers which have been allowed to slip into the possession of individuals, and have been used by them as a means of unwarrantable self-assertion.

§ 9. We are disposed to question thus closely the industrial spirit, because it assumes, with an instinctive tyranny, the world and society and the state as tacit terms, silent factors, under which it opens its transactions. Law should be a living presence between man and man, for the restraint of each and the aid of all. It is said, and with much correctness, that the successful organizer in business—"*entrepreneur*"—increases the returns of labor even beyond his own share in them. This doubtless is, in many cases, true, but it does not follow that this increase belongs, in justice, to the business leader. Workmen by being parties to these transactions may also make themselves parties to their profits. The organizer establishes the particular organization, but the possibilities of that business combination are, for the most part, common possessions. These arise from manifold physical, social, moral qualities, which are the prod-

uct of society. If one combines material, which I furnish him, in a fortunate way, I owe him something; I do not owe him the entire result. What I owe him must be determined in view of the powers of each and the interests of both. What one may call the rental of social, productive forces belongs to society, puts limits on the returns of the organizer, and is to be kept freely open to the laborers. To be sure, it lies far more with the laborer himself to maintain his share of social advantage than it does with the state, but the state can do something, and that something is oftentimes very essential, and is always obligatory.

There is no principle of justice which gives first terms into the hands of one individual as if they were his alone. When they lapse into his possession, the slip must be corrected at once. We all owe ground rent. The gains of combination belong to the workman as to the capitalist, and it is his constant duty, and the constant duty of society, his representative, to see how he can enter into these gains without at the same time dissipating them. We are not in our thoughts to take workmen at a valuation, and then appropriate to ourselves unreservedly all beyond their wages. This is the curt method of business, but not of wise oversight. The fruits of progress are to be divided among all, or a portion of the community cease to have any interest in growth. Advantages that are common winnings are to be redistributed in reference to further gains. This is the problem of personal improvement with the workman, the problem of safe growth with society, and the problem of good-will in the moral world.

A fortunate distribution of returns in production is one which renews and enlarges the motives of effort in all who share the given labor. Large returns to capital

and meagre returns to labor do not secure this result. The enterprising capitalist should certainly have, for the welfare of the community as well as his own welfare, favorable motives for exertion; but these motives, in the form of profits, may easily exceed the necessities of the case, and may even, by their very magnitude, reduce the incentives to continuous and sober production. There is a point of prosperous division between capital and labor which favors the welfare of each, and their highest activity.

§ 10. But it will be said, competition, as a natural law, divides advantages, and this division should be final. To this assertion we answer, yes and no. Natural law is not to be set aside, and cannot often be set aside; but natural law is always to be supplemented by the law of reason, by well-directed human and humane endeavor. Reason is itself a higher natural law. Many object strongly to combinations of workmen, to trades unions. They are thought to interpose a foreign and very troublesome and often a dangerous element in the processes of production and the conditions of good order. That these unions are often troublesome and at times dangerous is very true; that they are foreign to the productive process or social growth, widely considered, is not true. It is a great gain, a very great gain, when the working classes cease to drift and to encounter singly and with little forecast the accidents and hard conditions of the labor-market. While private thrift may go a great way in ameliorating the circumstances of the laborer, much farther than joint action without it, a joint action that confronts with counsel and concert the obstacles that lie in the path of progress is a signal advantage. It is surprising how sharp is the criticism on the mistakes of the poor, as if the rich had not been making their mistakes

since the dawn of the industrial era. All classes must learn to deliberate, learn their own true interests, the safe ways of pursuing them in concert, and their relation to the interests of others. Much injustice, violence and foolish resistance are the unavoidable incidents of crude thought, but the thought is more powerful for good than are these errors for evil, and will, in due time, abolish them. A portion of this bitterness of criticism arises from the very fact that the working classes are clothed with new strength by organization.

Wealth owes its advantages in production largely to forecast, combination and tacit concert. Nothing can be more unreasonable than to resent the same tendency in the working classes, and that because it takes them, as mere waifs, out of the stream of traffic. These combinations are not to be judged by their earlier efforts, or by their mistakes alone, but by their direction of growth and the spirit called out by them. It is one of the highest achievements of our time that workmen are learning to think, combine, resist, aid; and all more or less wisely under the laws of production and of morals. If the gains of combination were much less than they are, and the dangers even greater than they are, deliberative, united effort would still be the beginning of better things. We must be content to pay the price of progress. The actual and probable evils of unions among workmen are trifling compared with those of war, yet we are still willing to try the gains of war.

Says Mr. Rogers: "The habit of making provision against casualties arising from the weakness of the individual's own position in relation to the risk of sickness or other contingencies, is soon extended toward making provision against the risks which attend on employment. Thence it is an easy stage to the process by which

some slight barrier is made against an arbitrary lessening of wages. This step is aided by the avowed sympathy of those who are convinced that labor should be helped, or, at least, not hindered, in selling its work at the best price which it can get, and is justified in resisting by all means it can command the process which would compel it to a forced sale of the only article of value which it possesses. In course of time employers become habituated to the process under which work-people sell their labor, on the same principle which others adopt in selling their goods, for the dealer knows the ruinous effect of a compulsory and sudden sale, and perhaps, finally, the sternest economist will come to see, not only that work-people may adopt the principle of the capitalist in withholding goods from the market till a remunerative price is obtained, but that the process applied to labor is ultimately as beneficial as most persons see it is when applied to trade." *

The recent history of co-operation, though it shows that this principle by no means contains the entire secret of social progress, also shows that it brings decisive profit and admirable discipline to the poor. Self-assertion is often disagreeable, but it still remains the root of human strength. The power to glean the field and gather all that it affords is the one great secret of production. The methods of the poor are wasteful, and this waste can only be fully corrected by concerted action. The excellent work just referred to points out many gains of trades-unions in England. Earnest discussion, united action, the victory over indolent and indifferent impulses, are the entrance of thought and freedom, economy and thrift, among the masses of men.

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* "Work and Wages," p. 572.

An exchange, a trade, is the most constant and typical fact in production. We are to distinguish between what we are wont to regard as an honest trade, and one which is fair, economically desirable. We refuse to call any trade dishonest in which there is neither deception nor violence, no matter how much it may press upon one of the parties, and however unfortunate may be the social relations indicated by it. A fair trade can only take place between persons who hold something like a parity of positions in reference to it. Such trades are prepared for and approached with much prudence and sagacity. If they are not themselves organic acts, they are the fortunate results of a strong organic hold of person upon person, class upon class. Questions of justice and of social prosperity are largely settled in connection with the antecedent conditions of trade.

The one exchange above all exchanges on which the well-being and progress of society depend is that between those who purchase labor and those who sell it, between capitalists and laborers. Up to the present time, the relative sagacity of the two classes, and the circumstances under which they have entered upon this trade, have favored capitalists.

The conditions which tend to carry the advantages of purchase to one side, say that of the buyer, are, relative fewness in numbers of those who buy; the absence of any urgency compelling the purchase; and a deficiency in demand as contrasted with the supply. The first enables buyers more easily to order their action in reference to their common interests, the second removes all need of haste, and the third gives them the command of the immediate market. All three of these gains have more frequently belonged to capitalists. Much foresight and thrift are demanded on the part of workmen for any suf-

ficient protection against the power so easily and early won by capital.

It is not desirable that either of these classes should fall into the hands of the other. The conditions of fair, profitable trade are lost thereby. If, however, a predominant power could rest with either advantageously, it would rest with workmen rather than with capitalists. All that the interest of the capitalist requires in reference to workmen is their bare subsistence. Or at least this is the way in which selfishness may easily look at the relation, as this absolute dependence gives the most immediate and complete power to capital. The rigor of capitalist—the rich purchasing labor—has again and again arrested social progress. This arrest is simply the story of luxury told in economic terms. Workmen, on the other hand, must desire the prosperity of capital. From these prosperous returns their own wages are to be paid, and they cannot separate their gain from the gains of those who employ them. When the capitalist can say to the laborer, "Do this or quit; take these wages or leave them; it matters not to me, I run my own business," we have all the requisites of an intolerable and disastrous social tyranny. There are no conditions of a fair trade, no equality of the two parties, in this fundamental exchange, in their hold on each other. The independence of the capitalist has come to mean the complete dependence of the laborer; the ability of the one to order his own concerns, the inability of the other in any way to control his affairs. The industry of the laborer, his temperance and frugality, his sense of responsibility in accepting the burdens of a family, will, in a large measure, be lost to him in their natural fruits by these hard terms. He must soften these conditions to

give the fullest motives to those virtues. Essential as these virtues are, they are not sufficient by themselves.

Combinations among workmen are designed to restore something like equal terms of purchase and sale. No motive could be more laudable, no effort more just. Strikes—and far worse, boycotting—are the undesirable and often the unfortunate incidents of this movement, but the movement itself, as a thoughtful reaching out of workmen for their own proper power, is one absolutely essential. If all skilled workmen were thoroughly combined, they would stand on quite new and far more just terms with capital. There would be a serious loss of individual liberty, but a great gain in the aggregate of power. This power would be respected, and the two parties to exchange, each necessary to the other, each dependent and independent, would be prepared for sound reason. Strikes would retire into the background. The present temptation to violence arises very much from the sense of weakness and wrong. Those who combine are enraged that their efforts in the common cause should be made unavailing by the improvidence of men of their own class. They are nettled also by their own weakness, and by the easy mastery of their adversaries. They are tempted to an illegal and unjustifiable use of the one power of which they are conscious,—physical strength. Sufficient social power on their part would sober both parties, and prosperity would soon silence all complaints.

There can be no hostility to wealth, or to those wealthy, by those engaged in legitimate production in an industrial era. We are all only too concessive to this dominant temper, and to methods sustained by familiarity and all outward forms of gain. We forget, in this strife between labor and capital, how easily power passes to the side of capital, and how sharp and constant must be the resistance.

Many advantages fall of themselves into the hands of the wealthy. Influential papers are founded by them, and in turn support their cause. They establish professorships and select the men to fill them. They retain the best legal ability; they elect legislators and greatly influence them; they repress the pulpit; in many ways they shape public sentiment to their own purposes. All interests seek this alliance of strength, and are troubled when capital is troubled. Nothing prospers like prosperity in all the terms of influence.

The workman feels these accumulated and accumulating advantages on the part of those he meets first in the struggle of life, and finds but one weapon in his hand—combination. The growing power of the difficulties with which he struggles is palpable. Industrial equilibrium is being rapidly lost in a community in which a single family, in little over one generation, can amass two hundred millions of dollars. Such a thing cannot occur without indicating a disastrous disturbance of the entire balance of interests in production. Facts like these call for new methods and new exertion. The combination of workmen is the change in our social condition which answers most hopefully to this rapid change in social forces. The advantages of these combinations are very great, great enough to overbalance the grave evils which accompany them: the violence, mistaken and anarchical; the injury done to the means of production and to the sense of security which production requires, and the great loss of personal liberty on the part of workmen. Strikes, the bad concomitants of combination, are to be judged not by the number of instances in which they have succeeded in their immediate object, but by the new sentiments and changed relations in the community which attend on them. They must be judged as

war has been judged,—a still more wasteful, disastrous and unreasonable method of redress—by what would have been without it.

Combination implies deliberation, all minds awake to evils, rights, and remedies. It gives the sense of power, and with it slowly come that of responsibility, and the accompanying desire for wisdom and justice. The regenerative processes of thought are sent, as a new leaven, down through the lowest strata of society. The great problem of humanity is thrown directly on the masses for solution, and they learn, as they cannot otherwise learn, to plan for the general well-being and make sacrifices for it; to unite their interests to the interests of all, and to build wisely on foundations of fact and of principle. The moral, political, social training of the people turns on these practical lessons, lessons no more costly than the world has always found wisdom to be. The respect which the power incident to combination inspires in all classes reacts on the workman in a most wholesome way, opens before him a new career, and gives to life a higher class of motives. A sense of power is good for all men, and tends, on the whole, to make them all good.

Such gains as these are to be no more weighed here than elsewhere with the losses which accompany them, the price which is paid for them. The workman, in his turn, is entitled to his mistakes; that is, he has the right of progress by means of and in spite of mistakes. As more ignorant and more irritable and less aided than some other classes, this right to err may be a formidable one both for him and for us.

There is a kind of criticism, heard in the pulpit as well as elsewhere, from which we can hope very little, a criticism that sees clearly the evils which accompany the

convulsions of labor seeking its own, the extraneous and factitious mischiefs which attach to them by becoming an occasion for socialism and riot, and brings to these a sharp condemnation, and that without entering profoundly either into the burdens borne by workmen or the difficulties which obstruct every effort for their removal. We have occasion as often to see distinctly what is, and what is possible, as what ought to be. If we rest on the perfect idea and the perfect method alone, we shall deepen the very evils we deprecate. Workmen will listen to those who feel the hardships of their position, not to those who disparage these hardships; not to those who are always impressed with the mischiefs of the remedy, and forever renew the counsel of patience, as if it were given to children.

What ought to be, is this: every method of production and taxation, directly or remotely oppressive to labor, should be corrected by law and custom; equal and favorable conditions should be assiduously sought for the working classes by the free discussion and concession of all classes. What will be, is this: workmen will assert their rights, oftentimes in an extreme and mistaken way; they will bring disturbance and danger to the entire community; the community will then come to see familiar facts in quite a new light, will find in connection with them new possibilities and accept new responsibilities. When was the liberty of a people ever won without an army—an organization the most irreconcilable with large personal liberty. As things now are, the best thing we can hope for is a speedy and universal organization of labor, a rapid and light passage through attendant misfortunes, a new sense of justice in the entire community, and a speedy falling to pieces of these organizations of

labor, a more favorable balance of power having been won by them.

Boycotting in this movement is much like assassination in war, too intolerable for human nature, bad as it is. It may well be remembered, however, that the claims of the capitalist, that he will or will not employ any laborer precisely as he pleases; that he will dismiss a laborer for belonging to an organization of labor; and that he will refuse to re-employ one who has taken part in a strike in connection with such an organization, contain the entire principle of boycotting in one of its most cruel forms. The capitalist takes upon himself the task of punishing a laborer, by withholding the means of earning his daily bread, because he has sought the interest of the class to which he belongs by deliberation and combination.

The spirit with which we should enter on this labor question is this: we must find now, at all hazards, the true and final remedy of these wrongs. The well-to-do, who have no profound humanity, and are full of soft words and conventional phrases, must not expect any great influence in hushing this strife.

If we are to hold fast our respect for law, if we are to inspire a new respect for it in the minds of the discontented, law, under the perpetual regeneration of new necessities and a fresh sense of justice, must be carefully ordered in behalf of the interests of all. Great possessions must not be constantly won by unfair and dishonest methods, and law not so much as observe the fact. Great franchises must not be held as purely personal property, and then used for the oppression of labor. One fifth of the capital of the nation—as in the case of railroads—must not be gathered into the hands of a few, and these few be put under no more restraints in their control of workmen than are incident to narrow, private enterprise. The

people acting as a police, a militia, an army, must not be expected to enforce a law and order in which they have not fully equal stakes. The unusual productive opportunities of the world offered in lands, mines, forests, railroads, telegraphs must not be left a prey to speculative and irresponsible appropriation. The laborer must not be told that no new division of returns is possible in connection with successful production, when he sees that the expenditures of wealth are becoming, with a rapid uplift, fabulous, when the demand is constant for an increase of salaries on these very grounds, and when the incidence of taxation is resting heavily on the class to which he belongs.

If we wish a quiet solution of the problem of labor,—as we should wish with all our patriotic and moral sense,—we must show our desire by attacking vigorously the profound, provoking evils, and not by covering them up under general principles, and reserving our criticism for the remedies offered. The heart of the people is moving toward justice; our wisdom is found in seeing the fact, and in clearing the way.

§ 11. In considering social problems, we are not inquiring simply, What can be immediately done for society? What is likely to be done in the correction of evils? but also, What are some of those more remote points toward which progress is to be made? One of the questions which has not yet fully and distinctly risen in the general consciousness, is that of the mission of the pulpit in Protestant countries. Ultra socialists have disposed of religion, and of course of the pulpit. They look upon religion as one of the strongest of the conservatory barriers of society, and so are deeply hostile to it. In this attitude they do it much credit; it is, however, greatly to be desired, that this hostile criticism should show no

element of truth. We can usually find in the unsparing words of an avowed enemy the points of weakness in our lines of defence. Says Schaeffle, one of the more moderate and reasonable of socialists, "Socialists pronounce the Church to be a police institution in the hands of capital, and that it cheats the proletariat with bills of exchange on Heaven. It deserves to perish." * These words express a very general sentiment, and the sting in them is that religion often adapts itself blindly to the existing social state, and so becomes conservative of its evils. In the case before us, the pulpit may easily enforce contentment and religious trust on the poor; while identifying itself with the well-to-do, and forgetful of the reciprocal duty of doing all that in it lies to correct social evils, and equalize social advantages. It is this hidden temper of the pulpit that the popular champion feels, and for which he will not take any flimsy apology or formal protestation.

The province and purpose of the pulpit, as hitherto understood, may well receive some modification. Under a change of circumstances, the old idea becomes antiquated. This sentiment may be resisted, but it rests on the universal law of change. Doctrinal statements and enforcements, the maintenance of denominations, even religious ordinances, and worship and discipline ordered under these ends, fail to fully meet the larger and better spirit that is finding admission in modern thought. Does this new sentiment, hardly yet fully conscious of itself, hardly as yet knowing either what it is or what it should be, look forward to the lapse of distinctively religious activity into broad social duties? The earnest discussion of the relation of the pulpit to politics opens

* "Communism and Socialism," p. 223.

this question. The office of the pulpit does not seem to be either ephemeral or dependent on the propagation of definite doctrines, nor on an exact ritual, nor on the performance of services termed sacred. Doctrine and ritual and service may give specific form to its work, but do not involve the very substance of that work, nor furnish the ground of need on which the pulpit rests.

The interpretation, in some sense the administration, of the law of love in both its branches is the vital function of the pulpit in society. It will become more and more the office of the ministry to inspire and administer that charity by which men are bound to God, and harmonized with each other in his kingdom. The truths, and so the incentives, and so the rites, and so the services of religion will be urged and used primarily for individual and social growth. I think that many must feel, I know that some do feel, in listening to average pulpit discussions that they are behind the age, not in the easy, popular way in which we use the words, but profoundly so; and that they are often most signally behind the age when a superficial effort is being made to keep up with it. The old gospel is the new gospel, but it is none the less a new gospel. Truth is ripe truth which touches thought and action in their present springs, which impels men into instant life, in themselves and in society. The very conception of truth, and of the true form of life, are undergoing change; and a pulpit that does not sufficiently feel this fact, and is not prepared to take part in it, becomes wearisome and unprofitable. It leaves thought unquickened and conduct unguided.

The time has come in which the foundations of the Kingdom of Heaven, as a present social structure, are to be laid, broadly, wisely, conspicuously. In this direction

lie the immediate applications of spiritual truth. The supernatural is to show itself in these natural results; the divine to incarnate itself afresh in the daily life of men. The individual, at least the average individual, cannot grow, save as he has his share in this growth of the world about him. Spiritual progress, therefore, in our time lies for each and for all in the passage from the first to the second command, from the love of God to the love of our neighbor. Unbelief and socialism are present to push us forward to this very transfer. If religious defences are broken down, if religious hopes are lost, we shall restore these defences and regain these hopes, not by reiteration, not by striving to live the past over again, but by going forward, listening to the voices that are in the air, and doing the duties, the very duties, that are waiting to be more fruitful than any that have ever been rendered in the history of the world. We are afraid of the very conditions of growth.

When such a question is put as this, Ought the pulpit to discuss politics? we show that we are beginning to see, and yet failing to see, the true work of the hour. There is a most important sense in which religion is for politics and social life, and for them primarily. To withdraw it from these is to make it effete and worthless; is to do again that profoundly immoral thing, the presentation of the present life as out of sorts with the life which is to follow it, and as united to it in an arbitrary way.

The chief reason why men will not bear urgent spiritual truth in politics is, because they live in politics, and are profoundly interested in its results. A chief reason why they will bear it readily in doctrine is, because they care comparatively little about doctrine, and are quite willing that the clergy shall hammer this cold iron again and again at their leisure.

As a condition of true spiritual liberty, two things must be learned: that the immediate function of religious truth is revelation, light, universal guidance; and that each man and all men alike must have the full freedom of the truth. None are to be pushed, even though it be toward the Kingdom of Heaven.

If an element of authority is to go with the pulpit, it must of necessity withdraw from every department in which men are at work; but if it withdraws, it is no longer a living thing. Nothing short of a deep, tender, patient inspiration will now serve our purpose, or make the pulpit alive. To handle truth luminously, incisively, concessively, and to carry it forward fearlessly as a torch to every phase of social action, this is the office of the ministry: the sanctions of religion are with it for this very end, and while it has even a little of this power, no man will deny its right to be. The minister is to be a priest, but a workman as well as a priest, in the temple—the living, social temple—of God. He is to bring light, but a light to be used by each man as he is able; a light, like that of the sun, which quickens many forms of growth, rules none of them, and withers none of them. The patience of the pulpit should be like the patience of God, and its insight like the eye of God.

The press is sometimes spoken of as the true pulpit of our time. There is a superficial force in this assertion, as the press shouts from the house-tops to the crowded streets. If the pulpit cannot do this same thing with a more penetrative and pervasive, and truly persuasive voice, its function may easily depart from it. Yet the press is the crier rather than the evangelist of our time. It has quickened and extended intellectual activity immensely. Discussion is rapidly ripened by it, a decision is precipitated, and action made to follow at once. It is

far more hopeful, and also far more critical, to live and act now than at any previous period. All minds are awake, and each new venture is quickly borne on its way or quickly engulfed. The press, if we look at it in its entire sweep, is indifferent to good and evil, truth and falsehood, purity and impurity. It is an instrument to each of them. Yet motion and revelation stand in divine affinity with purity and with truth; and so the press, though it seems, like a mechanical thing, to be indifferent to virtue, becomes a roller under our civilization, bearing it forward.

There is in this office of the press not only nothing which interferes with the work of the pulpit, there is much to make it more urgent. The press is a reflection of the world as it is. It is secular in its purpose and spirit. If society is to win any real inspiration, it must look for it to the pulpit, not to the press. No generation has made a more urgent call for insight and worship and silent faith than our own.

§ 12. Deeply as we may at times be impressed with the tyranny of custom, at other times we see its necessity and constructive force so clearly as to be inclined to accept it with unquestioning obedience. A frontier town falls into chronic lawlessness from the want of custom, conventional sentiment; a score of communistic organizations are formed and fall to pieces in the circuit of a half dozen years, simply because they have broken too boldly with custom. All their hopes and high endeavors perish almost at once, because of a reason that questions the past too saucily.

Socialism, a systematic break with tradition, is a problem of much moment with us. It has almost universally failed in its numerous and narrow experiments in a communistic form. Those efforts which have prospered

have been sustained by a strong religious sentiment; a fact full of instruction. These successful communities have also usually made an inroad on marriage and the family relation, of a more or less decided character. The natural unit, the family, does not easily unite with the artificial unit, a communistic community. Herein, in the aid rendered, is seen the readiness with which the religious impulse may be misdirected, and also its supreme force as a combining power.

Socialism, having failed by its own organizing energy to establish any centres for a larger movement, now looks in its last stage to revolution and social overthrow for success. Its ultimate purpose is a noble one; its immediate aims seem very mistaken and dangerous, and the means occasionally diabolical. What it proposes to do, it does for that most comprehensive and desirable of objects, the elevation of the mass of men. The means to this end are, first, equality of conditions, and, secondly, as securing this equality, the ownership of land and capital by the community. The state is to be sole possessor of the means of labor, is to order labor, and to divide its returns according to the amount performed.

It has been pointed out how certainly this arrangement must result in the most extended and grievous tyranny. The small communities referred to have chiefly failed through the weakness of the directing and governing power. In a general break up of custom, a complete giving way of economic law, there must be at hand some strong controlling power, or all things will fall speedily into disorder and ruin. If we look to the state for this universal control, its authority and exercise of authority must be greater, far greater, than any of which we have any record. The most complete and pervasive tyranny possible would become an immediate

necessity. Such a tyranny, guiding all one's daily work, and determining its rewards, is to be submitted to for the sake of equality, yet equality would at once perish under it. A state with this amount of labor laid upon it would find immediate representation in a large class. This class would certainly usurp the astonishing power put in their hands. Its exercise would be a necessity, and would quickly become a pleasure and an interest. There could be no more direct, and no shorter, road to the most intolerable tyranny of a class combining in their office both wealth and power.

Socialism would also be attended at once with a great waste of wealth. The wealth of to-day stands represented in large part by luxurious dwellings, rich products and the means employed in their production; in the appliances of travel and the various forms of free and commodious life. Destroy private ownership, and most of this wealth would disappear. There would be none who could make any sufficient use of it, who could be profited by it. A poor man does not wish that a dwelling should be given him if it is to involve an expenditure far beyond his income. His comforts are diminished not increased by it. He is not lifted by his surroundings but only degrades them. All the products that have reference to wealth would lose their value, if wealth were wanting to purchase and employ them. The poor would succeed in destroying an immense amount of property, not in sharing it. Incident to this loss there would come stringency in every form of production, and the market of necessities would be relatively empty.

There would at once be an end to most of that desire and that effort for improvement which give rise to civilization. The equality secured would largely be that of

poverty, that which belongs to a barbarous community. Production, reduced in all forms to days' wages, would give small returns and narrow possibilities. An immediate decay of impulse would follow, and this decay would increase by its own extension. Society would shortly find itself, unless the tyranny to which we have referred became strong enough to check the movement, on a rapid march toward barbarism. There would shortly be neither the proffer of liberal enjoyments, nor the power to win them.

Another incident of the movement would greatly aid this result, and that is the violence and injustice which are to institute it. We cannot raise hellish passions for one end, and not find them present for all ends. We cannot sweep away the restraints of custom, and restore them again at pleasure. The weak, constructive sentiments of the socialist, unaided by experience, unconfirmed by habit, would be mere flax in the fire in this general conflagration. One thing especially which augurs evil, and that only, is, that modern socialism, untaught by the past, bids defiance at the outset to the religious sentiment, the most organic of all forces. Socialism, under its present guidance, would be the breaking loose of all the diabolical forms of ruin and overthrow.

One further result would of course follow,—indeed it is so direct as almost to be aimed at—and that is the thrusting aside of all benevolence, good-will. Coerced equality leaves no room for it. Kindly sentiments would first wither away under the fierce heat of malign passions, and would later, in the universally hard conditions of life, find very little to restore them. Especially would this be true if the family, the chief nurse of milder feeling in savage life, is also to give way.

Of the two things aimed at by socialism, liberty and equality, one must necessarily perish; more likely both would perish. If equality were preserved, it would be by most searching and intolerable tyranny; and this tyranny itself would open an instant attack on equality. No scheme was ever offered to men, in which more was to be done with fewer resources, in which the hopes were larger and the reasons less, than in the scheme laid down by socialism. What men want is a balanced movement between equality and inequality. Both must be preserved. We must have, to the full, the incentives and rewards of enterprise. We must have also the justice and the benevolence which will order the division of returns both wisely and kindly. These double tendencies are our organic powers and cannot be sacrificed without the loss of organization.

Socialism, as it now offers itself, is a nemesis, threatening with instant and condign punishment all social negligence and selfishness. It is the coming storm that will clear a too sultry social atmosphere. The safeguards against it are obvious and ample. They are that absolute justice, that watchful aid, which put workmen on the side of order, which make them with us heirs of life. We can easily draw the lightning out of the thunder-cloud, if we give room for all enterprise, for all buoyant social material to rise to its own level. Combinations of workmen present their claims, oftentimes just ones. Society cannot be too quick in considering them, in responding to every correct principle. If society plants itself firmly on these two supports, complete justice and large benevolence, it cannot be pushed from its base, and law, indeed, will even desire to do it.

CHAPTER IX.

THE GOAL.

§ 1. No inquiries should be more fruitful, both directly and indirectly, than those of sociology. The progress of men in all directions will ultimately turn on the full and favorable development of those powers and principles by which they are organized with each other in society. The most complete and vivid expression for the perfection of human life is the Kingdom of Heaven. It implies that spiritual development in each member of the kingdom, and that helpfulness and gracious affection of all members toward each other, which are associated with the law of love. Nor is this goal of faith less the goal of social progress. Organization among men means complete individual power, and ready and affectionate service. Anything short of this is something less than the needs, less than the predictions, which lie in the nature of man, his lines of growth and the favor of God.

This Kingdom of Heaven involves two things, which stand correlated with each other, individual growth and collective, organic power; increased functions and increased life overshadowing and using those functions. We ourselves and society, which is greater than ourselves and is present with commanding power and firm limits, these are the conditions of development and these are the conspicuous terms in the Kingdom of Heaven. Human life combines tendencies seemingly incompatible, but really antithetic and constructive constituents of order. Necessity and liberty, foresight and fortuity,

heredity and variation, imperial right and personal liberty, the organic energy of all and the versatility of the individual, justice and benevolence, the inequalities incident to enterprise and the longed-for equality of opportunities, are some phases of the opposite terms which must be closely maintained in thought and action, or life sinks into futile expenditure under a single impulse.

The most striking moral equilibrium in individual life is that between justice and benevolence. If justice is set aside in behalf of benevolence, the only foundation on which benevolence can be built is swept away. Not till one knows his own is there any room for a gift. The Christian injunction that we are to bear one another's burdens and so fulfil the law of love, implies that each man has, in a deeper sense, his own particular burden, under the law of labor. It is this proper and peculiar burden that we are to lighten by good-will. All theories of social progress must combine, in their full primitive force, these two laws of labor and love, duty and gift. The skeleton of order given by justice passes into life and beauty by the growth of the affections; the higher is induced upon the lower and sustained by it.

Among the equilibriums which give action and poise in social life none is more significant than that between the individual and the community. All real strength, all true growth are ultimately achieved in and by the individual. Personal strength and perfection are the measure of all perfection and strength. Yet this perfection and strength can only show themselves in the community and toward the community, and under the conditions which the community itself assigns them.

§ 2. Of the two terms which unite in society, communal force has suffered depreciation in our thoughts. The sentiment of Galton is in order. We should have "a

greater sense of moral freedom and responsibility and opportunity in guiding and furthering (social) evolution." "Strong, tense, elastic organization" is called for. Precisely this we desire. The tendency toward individuation has accomplished its immediate purpose in promoting liberty and personal responsibility. It is now passing into excess, and is endangering the very conditions under which alone liberty is of any worth, or can be maintained. The activity, the enterprise, the moral force of the individual are lost in futile effort—ineffective evaporation—in a community that does not give stern conditions of order, that does not turn rights into laws, the common weal into an indiscerptible claim.

Among the essential terms in progress is this very sense of justice, of rights that are to be affirmed, of claims of the common life that are to be held supreme. When, in social growth, one of these claims is reached, when a portion of the community reject a just law, and override a communal interest, progress toward social perfection cannot be maintained if this right is not asserted, this wrong repelled. If, for example, the sale of intoxicating drinks is to proceed in defiance of the general welfare, we cannot hope that pure moral growth will remove this evil. The evil lies largely in the denial of the right of prohibition, in the submission of general to private interest, and not till the just conclusion is reached and asserted can a true adjustment be attained. The weakness which prevents the assertion of right betrays a fatally feeble moral temper. Moral strength will show itself and enlarge itself at this very point, discernment and maintenance of right. Men are not trained toward righteousness by remaining uncontradicted in unrighteousness. If water is to be carried across a chasm, it must be in a conduit. Stanch statement and

firm enforcement are the conduit in which a flagging moral sentiment in the popular mind is borne over a break in civil law and social custom.

We plead for "a strong, tense, elastic organization," which puts the individual on his feet, and gives him the arena of his powers. Men are to bear in mind the constant tendency of power to usurpation. While the laws of industry are not to be set aside, fresh conditions are to be constantly provided for their fair and favorable operation. Society is to strive for a perpetual renewal of opportunities and redistribution of advantages, so that every child shall come from the cradle to a fresh world with fresh incentives, not to one overworn and used up for him by the errors of past generations. Industrial usurpations are no more sacred than those of civil power; tyranny may be in the possession of property just as certainly as in that of authority. Indeed, the tyranny of ownership may become the more subtile and extended of the two. In a matter of such universal interest as personal opportunity and discipline, the gist of every wise measure is found in a maintenance of motives, a renovated and freshly habilitated life. Society should look sharply to the laws of social hereditament, should see what we do inherit, and what we ought to inherit, and this with a supreme sense of the right of the race overshadowing that of personal and private rights.

Not only is it impossible to achieve personal, moral growth aside from the community, this personal strength being gained gives at once the conditions of successfully combined action. The objections to organic effort in society fall to the ground just in the degree in which men attain private virtue. Nothing can withhold men from the collective use of their collective powers, any more than from the private use of their private powers. The

conditions of success in the two directions are the same. The moral field is the complete field of separate and conjoint action, and growth, whatever may be our theories about it, is sure to extend into and over this entire ground. The doctrine of evolution has led us to give fresh weight to the more unconscious, organic forces which belong to the earlier stages of social progress. We are not to forget, however, that these forces are losing value relatively, and are falling more and more into the shadow of conscious, well-devised moral effort. The very law of evolution leads to this result, the increased predominance of the higher intellectual processes over the lower organic ones.

We should especially keep this fact before us in the action of political parties, those very important factors with us in social progress. These parties tend rapidly to deteriorate under narrow, obscure, personal incentives. They can only be renewed in efficiency and value by a direct moral process, bringing new issues into politics as new organizing powers. A loss of issues is incident to our political action,—much more so than to the hourly antagonism of parties in England over new questions and the shifting phases of old ones—and these issues can only be renewed by a moral temper which strikes vigorously into social life, its own proper life.

§ 3. The base incidents of a bad inheritance are painfully disclosed in the impurity of large cities. Certainly there is no worse entail of privileged classes than a disposition on their part to disregard the personal purity of those below them in the social scale. Such a disposition has often been remarked in English society. Indeed, it follows naturally, almost inevitably, from the existence of classes favored by law and by custom. The true democratic sentiment of an equality of personal rights

is lost; and lost in one direction it is easily obscured in other directions. If there is a class whose conditions of prosperity are not esteemed of equal moment with those of another class, it is only a slight enlargement of the same sentiment to feel that their purity is also a secondary consideration. Nothing is more contagious than tyranny, and no pains are to be spared in making absolute justice the basis of society. The essential idea of justice is equality in claims. Till this is reached there is no sufficient foundation for the superstructure of religious affection.

The amusements of a distinctively wealthy class must always tend toward license and depredation. Labor gives the conditions of healthy, pleasurable relaxation; indolence and indulgence take them away. Satiety and ennui almost compel excess, as a means of rallying the jaded senses. Those who are at their wits' ends to find amusement are not likely to be scrupulous in their regard of the rights of others. When one has lost the first terms in human life, self-helpfulness and helpfulness of others, he cannot well retain the more remote feelings of obligation and respect attendant on them. Almost all the reckless forms of amusement in which the interests of society are sacrificed are found with those subject either to the indolence of vice or the indolence of wealth. The lowest and the highest in society readily affiliate at this point of vicious indulgence. Games and races,—as methods of amusement—gambling, dog-fights and prize-fights, combine these two classes in an ugly fellowship of depraved tastes.

§ 4. If we distinguish science, as it is so often distinguished, from philosophy and religion, we must mean by it physical science, a knowledge of material facts and laws. The wonderful progress which is being made in

this knowledge is putting grand resources of growth at the disposal of society. It has been urged in Political Economy that a sudden advance in favoring conditions is especially productive of growth in the laboring classes. Incentives and opportunities unite in an appreciable motive, and so carry forward an entire class. New ground is gained, new impulses are called out, and a favoring series of actions and reactions established. A social movement is thus completed and fortified within itself against retreat.

The rapid change in the form and degree of production which has accompanied scientific inquiry ought to lift and abundantly aid social life. The world is disclosing great resources of wealth and power, and society finds itself called to a new inheritance and a fresh division of gains. The popular imagination is captivated by the promise, and science has become a word of invocation and magic on the lips of the people.

Yet this aid, close to us as it seems to be, and desirable as it is, cannot be secured, in any good degree, except in connection with active, moral forces. A period of discovery and invention should preëminently be one of social growth and moral activity; that new opportunities may be put to new purposes, and a virgin soil be made to yield a virgin life. The rich fields of this western continent have lifted many millions many degrees in the social scale. Much of this momentum is lost, however, from the want of the moral ability to improve it. If we take such an invention as that of the sewing-machine, we still find associated with it the same extreme labor, the same meagre return, that attended on the slow work of the needle. When the hand of labor is made tenfold more efficient by human ingenuity, human love should be ready to give it at the same time the opportunity of less

labor and larger payment. Commercial principles alone will not do this; they will often do the very reverse. We must look for the true amelioration of society to higher impulses, in hearty activity with lower ones, and making use of them to this very end of growth.

Science is not only opening up for us world within world, it is greatly helping the moral problem of life by bringing to it new interpretations; new insight into methods. It is not the facts of science that have occasioned perplexity in spiritual thought, but the speculations that have accompanied these facts. These speculations have brought us, as all new efforts of thought will bring us, correction of old errors, and some new errors of their own. We shall not easily estimate too highly the deeper, broader sense of law which we owe to science. The form of individual and social action is, and is still more to be, profoundly altered by it. Error enters only when this term of concurrent physical law—a term which has become new by being so much more extendedly and profoundly understood than hitherto—is made to exclude its correlative term,—the intellectual, moral power that is to put it to use, that is to gather the honey from the carcass of the lion. The physical world is the counterpart of the moral world, and cannot be grasped in its method without bringing light to every social and religious problem. This, indeed, is the greater service of science, and will help to furnish those very incentives of which we have spoken as so needful to accompany a fresh accession of means. The new theology is the old theology corrected by scientific and philosophic thought, and combined with the wider temper of inquiry now prevalent. Civilization is force wedded to ideas, and science is furnishing new forces and also helping to give birth to new ideas.

Social ideas certainly need the correction, enlargement and softened sentiment incident to faith and philosophy. The individuation which has become so extreme with us is due, in part, to the scientific temper, deducing society from the individual, not merely as the primary, but as the one productive, term. The impalpable, spiritual power which inheres in society for its construction and government has not been sufficiently recognized by science. Science always lays more stress on the form of action than on its inner energy. We wish, however, not to stint our acknowledgment of the great work accomplished by science, nor of the light it carries with it into the spiritual world, nor of the unity it helps to impart to all our knowledge. If science alone does not reach the very soul of the universe, it gives a suitable body for that soul to animate and occupy, when it is found by philosophy and faith.

§ 5. Philosophy, as contrasted with science, stands for all that knowledge which centres in mind and finds explanation in the laws of mind. A sound philosophy must always be of leading importance in sociology. That physical inquiry will aid intellectual research is quite certain; that it will never replace it, is still more certain. A philosophy that is an annex to science is a poor affair. A reaction is already felt toward more purely spiritual thought. Empirical systems are inquiring, what and how much religion is possible to them; while education is busy, under a new anxiety and responsibility, with manliness, social well-being, and spiritual strength.

Human life, as including spontaneity and responsibility, as reconciling liberty in the individual with large claims in the community, as dealing with spiritual incentives, the very substance of all physical conditions,

calls loudly for philosophy. Philosophy recognizes at once the fact, that the one significant fact in rational life is reason itself; that the secrets of life are in life, and not somewhere else; and that explanation means not the explaining away of things, but a rendering to the mind of their inner force. The productive values of thought are made sound currency in the spiritual world by a free recognition of the intrinsic worth of thought itself. Thought is a real and a central light. Thought is empirical in that it is to explain a universe empirically given, and with which it stands on constant terms of action and reaction; thought is intuitive in that its sensitivity to light, and its power to give light, are its own—its laws of vision go with vision, its reasons remain reasons, and penetrate the world because the world is transparent to them. Man must return to himself, will sooner or later return to himself, when he has to do with spiritual problems. The coming to himself of the prodigal son was only a more just estimate of the inner and the outer terms of life. Wise thoughts are the ripe fruit of the tree of knowledge. The extreme socialism of our time is made almost uniformly to rest on materialism. The ideas, rights, duties, hopes, fears which inspire it are those of materialism. This portentous product is the direct result of misdirected philosophy. Its watchword of promise is science, not philosophy nor faith.

§ 6. Religion, as a term in social growth, while it shares to the full the inertia of custom and the slow creeping of conventional sentiment, must ultimately rest on philosophy, and accept the position which philosophy assigns it. It is, indeed, a branch of philosophy. It is strange that any should find disparagement in this assertion, as it is simply saying that religion makes

its appeal to, and is embraced in, the highest reason. Religion, as a force in the world, finds its footing, first, in the nature of man, and, second, in the spiritual bearing of the physical laws which encompass men, and give them the conditions of development. We need not here consider the part which revelation plays in religion. The truths of religion are revealed, so far as revealed, because they are true; that is because they are implanted in the constitution of things, in the constitution of mind. Revelation can do nothing but interpret creation. If these alleged truths were not found to be fundamentally concurrent with the universe, they would be hopelessly discredited by this discrepancy. Revelation, therefore, is nothing more than disclosure, and places its truths on precisely the same basis as those of inquiry. The religious question, therefore, is simply the question: Whether mind is the ultimate, comprehensive fact in the universe? Whether the universe is primarily rational, spiritual? This is an inquiry which always has interested and always must profoundly interest the human mind, and one which it proposes again and again, under many forms, in every stage of development. By far the most universal answer, and one of increasing cogency, has been in the affirmative. Religion furnishes the highest incentives for the highest action. It takes motives in the universe at their maximum. If it fails in any one place, time, person to do this,—as it constantly does fail—it fails because of that place, time, person. It renews itself elsewhere with larger gifts. The universal affirmation of religion, that to which all its affirmations are tending, no matter how remote they may seem to be, is that supreme wisdom and goodness lie at the centre of all things; wisdom and goodness that rise into the clear

light of consciousness, that are abundantly conscious to themselves of their own nature and purpose.

This affirmation—badly as it may be rendered in the terms of any given faith—confers upon thought the most adequate line of action, and the most varied and deepest motives in pursuing it. It appeals to the entire nature of man as nothing else can appeal to it. If the two laws of love are laws of God, are incorporated in every relation, and concurrent with all cosmical movement, then there is a spiritual evolution before us which evokes the deepest desire, calls out the largest effort, enkindles the most enthusiastic hope, and offers the most comprehensive construction. In proportion as men doubt these commands, as those of nature, human nature and society, must their efforts be weakened for the organization of men and the realization of a spiritual harmony. The goal of life is lost. We believe most fully that men will always return to religious faith, and that religious faith will return to them, because this faith is the most profound and hopeful rendering of the world, and one that gives by far the largest play to life in it. Though it may leave darkness at many points, it also gives intense light, and that light falls upon men.

Religious truth is the truth in which science and philosophy meet in the most complete harmony, in which events that otherwise eddy at random assume a well-defined cosmic current, in which a spirit otherwise alien, lost in the multiplicity of things and the eternity of events, finds the clue of thought, finds itself; finds the goal of effort; finds the Divine Mind, and henceforth lives and moves and has its being in him, its true spiritual atmosphere. A sociology that is not animated by faith will be a faint-hearted, fearful, and remote seeking after the truth—obscurely seen, and that beyond

many obstructions. Above all impulses the popular impulse must be one of faith, one of quick belief, and ready obedience. Religion can do nothing completely and finally without science and philosophy ; and science and philosophy issue in nothing to any great purpose without religion. The purification, the rationalization, the renewal and re-establishment of the religious impulse are fundamental in all social construction.

§ 7. As religion is the culmination of truth in world-wide motives, is the birth of a new spiritual life by virtue of faith in spiritual things, so art is the union of spirit and form—informing idea and outward expression—in a complete product, a beautiful world,—in highest phrase—the Kingdom of Heaven. Art unites the spiritual and the physical in perfect being. It adds that supreme, emotional perfection to life which we term beauty. It may do this in various departments and in various degrees, and so be partial and disproportionate. It may misunderstand the inner thought, and so be perverse; yet art, like science and philosophy and religion, has a goal of perfection towards which it is, with much wandering and many errors, finding its way.

Art plays an important part in sociology, not only as completing stages of progress, but often as indicating the true direction, when men are being baffled by misapplied energy. In some sense beauty, perfection of form, is the culmination of science, philosophy and faith, as it is the fulness and force of the inner life, and its complete mastery of the physical terms at its disposal. There is not closer union than that between true faith and true art. A faith that misses fortunate, fruitful expression, is not true religion; and an expression that narrows or represses the spirit is not true art. Art is that completion

of the creative act in all its branches which leads us to pronounce the product very good.

§ 8. We are now struggling between adverse tendencies, —we have fallen into a place where two seas meet— authority and reason. We are ready for neither the one nor the other. We are in transition between them. Authority is far too restrictive for the stronger minds; reason is far too supersensible for the weaker minds. Many who are throwing themselves on reason, do it so rashly as to sink almost at once, like the too bold apostle. Nothing is more cautious than reason. To reason we are coming, we must come, not all and every one of us at once, but slowly, as human thought shapes itself to itself. Reason is the primitive germ, the ever present plastic energy, of human life in its enlarging forms.

While we are making this change of base there will be losses, and some will wander quite away, but the change must be made, and will give us a strength not before dreamed of. Although authority always claims to rest on reason, it seeks its reasons with such haste and division of sentiment as often to discredit its assumption. Reason, sound reason, truth cautiously and widely pursued, is now to penetrate deeply through the fertile soil of the human mind and give it the conditions of constant and superlative production. The feeling that real knowledge and true virtue are alien to each other is to pass away. To favor this transfer, to reduce its dangers, is the office of every earnest mind, resting on the unity of the divine thought.

It is the people, the great army, who seem to join this movement slowly and reluctantly, who at no time fully measure its significance, that after all hold it firm, and make it comparatively safe. The truths, the munitions, which the over sanguine disciples of reason are ready to

cast away, will again be gathered up; the hasty mistakes they have made will be corrected. And the human host will move to its new camp, with its history, its achievements, its resources, all with it. This movement, truly new in human progress, is neither desertion nor retreat, it is advance under better terms. The continuity of the popular life is the safety of society, of science, philosophy and religion. The true gospel is to be preached to every creature.

§ 9. It is also true that in each new phase of development, the spiritual terms will carry with them the physical terms, and grow out of them; that the physical will be the cast in which the spiritual is contained. Looking on the physical terms of our lives as the clay subject to our spiritual powers, we regard them too narrowly. The physical is not only the material of which all our structures are built, that which turns them from dreams of fancy into wood and iron and stone, it is for more than this. Holding the products of mind it moves forward with mind, and is full of fresh suggestion to it. Science is quite right in exalting experience, in making it the measure and test of reason, since it is in this experience that reason is regnant in the world about us. This world is our tether, binding us to rational centres.

No form of effort more than sociology, constantly dealing with spiritual forces, needs to bear in mind how far they are dependent on and controlled by physical facts, how often our only practical method of approach to them lies through the physical world. If we know the body, we know very much of the mind which inhabits it; if we know the physical and social condition of a class, we know in a high degree what are the rational things to be expected of it, and done for it. The one truth the scientist needs to learn afresh is that the Kingdom of Heaven is a spir-

itual kingdom ; the one thing the religionist needs to remember is that it is built on the earth, and must look to its foundations for strength. The true synthesis of the universe of God, physical and spiritual, is the Kingdom of Heaven. We can never in society safely neglect the organic form, the civil law, that lies next in order ; nor can we look to this form alone for success. Perfection is, and, far more profoundly, is not, a formal thing. If we lay broad and complete foundations for society in justice ; if we devote the acquisitions of science to the well-being of men ; if we permeate our social philosophy with the spirit of Christ, his kingdom, with those constant increments which belong to growth, is sure to come. If the universe contains, as its very centre of energy, the conditions of a perfect social state, this fact is the fundamental truth of religion, that of the Divine Presence. If it does not contain these concurrent possibilities, we weary ourselves to no purpose, we labor against conflicting forces far too strong for us, and shall be pulled in pieces by them. If we see this light, we shall easily walk in it, and it is the conjoint light of science, philosophy and faith.

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